EXTENSIONS OF REMARKS

A STARK ASSESSMENT: U.S. REPRESENTATIVE PETE STARK SPEAKS OUT ON HEALTHCARE AND WELFARE REFORM

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. LEWIS of Georgia. Mr. Speaker, I insert the following for printing in the RECORD:

[From the World, Jan.–Feb. 1999]

(By David Reich)

When President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 more commonly known as the welfare reform bill, US Rep. Fortney Pete Stark didn't make a secret of his displeasure. ''The president sold out children to get reelected. He's no better than the Republicans,'' fumed Stark, a longtime unitarian Universalist whose voting record in Congress regularly wins him 100 percent ratings from groups like the AFL–CIO and Americans for Democratic Action.

One of the Congress's resident experts on health and welfare policy, the northern California Democrat has earned a reputation for outspokenness, often showing a talent for colorful invective, not to say name-calling. First elected to the House as an anti-Vietnam War ''bomb-thrower'' (his term) in 1972, Stark has called Clinton healthcare guru Ira Magaziner ''a latter-day Rasputin'' and House Speaker Newt Gingrich ''a messianic megalomaniac.'' When the American Medical Association lobbied Congress to raise Medicare payments to physicians, Stark, who chaired the Health Subcommittee of the powerful House Ways and Means Committee, called them ''greedy troglodytes,'' unleashing a $600,000 AMA donation to Stark's next Republican opponent.

''I've gotten in a lot of trouble speaking my mind,'' the congressman admits with a rueful smile. For all his outspokenness on politics, Stark appears to have a droll sense of himself, and he tends to talk softly, his voice often trailing off at the ends of phrases or sentences.

Back in the 1960s, as a 30-something banker and nominal member of the Berkeley, California, Unitarian Universalist congregation, Stark upped his commitment to the UU movement after his minister asked him to give financial advice to Berkeley's Starr King School for the Ministry. ''I think I was sandbagged,'' he theorizes. After a day of poring over Starr King's books (''The place was going broke,'' he says), he was invited by their board chair to serve as the seminary's treasurer. ''I said, 'Okay,' '' Stark recalls. He said, 'Then you have to join the board,' I said, 'I don't know. I guess I could.' ''

The UUing of Pete Stark culminated at his first board meeting, when the long-serving board chair announced his resignation and Stark, to his astonishment, found himself elected to take the old chair's place. ''There I was,'' he reminisces, his long, slim body curled up in a wing chair in a corner of his Capitol Hill office. ''And I presided over a change in leadership and then spent a lot of time raising a lot of money for it and actually in the process had a lot of fun and met a lot of terrific people.''

The World spoke with Stark in early October, as rumors of the possible impeachment of a president swirled around the capital. But aside from a few pro forma remarks about the presidential woes (''His behavior is despicable, but nothing in it rises to the level of impeachment''), our conversation mainly stuck to healthcare and welfare, the areas where Stark has made his mark in government.

World: You have strong feelings about the welfare reform bill. Do the specifics of the bill imply a particular theory of poverty?

PS: They imply that if you're poor, it's your fault, and if I'm not poor, it's because I belong to the right religion or have the right genes. That the poor are poor by choice, and we ought not to have to worry about them. It's akin to how people felt about lepers early in this century.

World: Does the welfare reform law also imply any thinking about women and their role in the world?

PS: Ronald Reagan for years defined welfare cheat as a black woman in a white ermine cape driving a white El Dorado convertible and commonly seen in food checkout lines using food stamps to buy caviar and filet mignon and champagne and then getting in her car and driving on to the next supermarket to load up again. And I want to tell you she was sighted by no less than 150 of my constituents in various supermarkets back in my district. They were all nuts. They were hallucinating. But they believed this garbage.

And then you've got the myth that, as one of my Republican neighbors put it, ''these welfare women are nothing but breeders''—a different class of humanity.

World: You raised the idea of belonging to ''the right religion.'' Do these views of poor people, and poor women in particular, come out of people's religious training?

PS: No, my sense of what makes a reactionary is that it's a person younger than me, a 40- or 50-year-old man who comes to realize he isn't going to become vice president of his firm. His kids aren't going to get into Stanford or Harvard or make the crew team. His wife is not very attractive-looking. His sex life is gone, and he's run to flab and alcohol.

World: So it's disappointment.

PS: Yes. And when the expectations you've been brought up with are not within your grasp, you look around for a scapegoat. ''It's these big-spending congressmen'' or ''It's these women who have children just to get my tax dollar. The reason I'm not rich is that I pay so much in taxes; the reason my children don't respect me is that the moral fabric has been torn apart by schools that fail to teach religion.''

And then there's a group that I've learned to call the modern-day Pharisees, people from the right wing of the Republican party who have decided the laws of the temple are the laws of the land.

World: Then religion figures into it, after all.

PS: Oh, yeah, but to me that's a religion of convenience. In my book those are people with little intellect who listen to the Bible on the radio when they're driving the tractor or whatever. But I do credit them with being seven-day-a-week activists unlike so many other Christians.

World: Going back to the welfare reform bill itself, how does it comport with the values implied by the UU Principles, especially the principle about equity and compassion in social relations?

PS: If you assume we have some obligation to help those who can't help themselves, if that's a role of society, then supporters of the welfare reform bill trample on those values. ''I'm not sure that's the government's job,'' they would say. ''It's the church's job or it's your job. Just don't take my money. I give my cleaning lady food scraps for her family and my castaway clothes to dress her children. I put money in the poor box. What more do you want?''

The bill we reported out, the president's bill, was motivated by the belief that paying money to people on public assistance was, one, squandering public funds and, two, preventing us from lowering the taxes on the overtaxed rich. I used to try and hammer at some of my colleagues, and occasionally, when I could show them they were harming children, they would relent a little, or at least they would blush.

World: Did you shame anyone into changing his or her vote or making some concessions on the language of the bill?

PS: We got a few concessions but not many. Allowing a young woman to complete high school before she had to look for a job, because she'd be more productive with a high school education—you could maybe shame them into technicalities like that. But beyond that they were convinced that if you just got off the dole and went to work, you would grow into—a Republican, I suppose.

World: It's been pointed out often that many people who supported the bill believe, as a matter of religious conviction, that women should be at home raising kids, yet the bill doesn't apply this standard to poor women. Can the bill's supporters resolve that apparent contradiction?

PS: Yes, I hate to lay out for you what you're obviously missing. The bill's supporters would say that if a woman had been married and the family had stayed together as God intended, with a father around to bring home the bacon, then the mother could stay home and do the household chores and raise the children. They miss the fact that they haven't divided the economic pie in such a manner that the father can make enough money to support mother and child.

Now, I do think young children benefit grandly, beyond belief, by having a mother in full-time attendance for at least the first four years of life. But given the reality that a single mother has to work, you have to move to the idea of reasonable care for that mother's child. And by reasonable care I do not mean a day care worker on minimum wage who's had four hours of instruction and doesn't know enough to wash his or her hands after changing diapers and before feeding the kid. Or who's been hired without a criminal check to screen out pedophiles. Because it's that bad.

World: Did the welfare system as it existed before the 1996 bill need reform?

PS: Sure. The Stark theory—which I used to peddle a thousand years ago, when I chaired the House Public Assistance Committee—is that people have to be allowed to fail and try again and again—and again. We can't let people starve, but they've got to learn to budget money and not spend it all on frivolous things. So I'd have cashed out many of the benefits. For instance, instead

of giving you food stamps worth 50 bucks, why don't I give you the 50 bucks? The theory behind food stamps was that you'd be so irresponsible you'd buy caviar and wine and beer and cigarettes and not have any money left for tuna fish and rice. And that kind of voucher doesn't give you the chance to learn.

We did a study, good Lord, in the 1960s in Contra Costa County, California. Our church was involved, along with the United Crusade charity, and some federal money went into it, too. We identified in the community some people who had never held a regular job—either women who had done day work or men who were nominally, say, real estate brokers but hadn't sold a house in years. And in this study we took maybe 20 of them and made them community organizers—without much to do but with an office and a job title. All this was to study what happened to those people when they had regular hours and a regular paycheck, having come from a neighborhood where people didn't necessarily leave for the office at every morning at 7:30.

And we found that these people suddenly became leaders, that people in the neighborhood came to them for advice. They even talked about going into politics, just because of the fact that they fit into the structure and what that did for their self-image and their neighbors' image of them.

Another part of that program: in the poorest parts of our community people were given loans to start new stores—wig shops and fingernail parlors and liquor stores and sub shops and soul food places and barbecue pits. The stores had little economic value but lots of social value. They were places where children of the families who owned them went after school, and people didn't sleep or piss in the doorways or leave their bottles there because the street with these shops became a community that had some cohesion—though when the funds were cut back, it reverted to boarded-up shops.

World: Are you suggesting that this kind of program might work for current welfare recipients?

PS: Absolutely. I don't believe for a minute that 99 percent of people, given the opportunity, wouldn't work. They see you and me and whoever—the cop on the beat, the school teacher, the factory worker, the sales clerk—going to work. People want to be part of that. It's just like kids won't stay home from school for very long. That's where the other kids are, that's where they talk about their social lives. That's where the athletics are. And so it is with adults: they want to be part of the fun, of the action.

Inefficient as some people's labor may be, as a last resort, bring them to work in the government. It would be so much more efficient than having to pay caseworkers and making sure they're spending their welfare checks the right way. Give them a living wage, damn it. They'll learn. And given time, their efficiency as economic engines will improve.

World: Do you have a clear sense of how the changes in the system are affecting welfare clients so far?

PS: No, and I'm having a major fight with our own administration over it. Olivia Golden, who until recently headed up the family, youth, and children office in the Health and Human Services Department, sat there blithely and told me ''Welfare reform is working!'' I said. ''Olivia, what do you mean it's working?'' ''Well, people all over the country have told me—'' ''How many?'' ''Maybe 12.'' I said, ''Are you kidding? You've talked to maybe 12 people?''

They won't give us the statistics. They say, ''The states don't want to give them to us.'' All we know—the only figures we have—is how many people are being ticked off the rolls. What's happened to the people who leave the rolls? What's happened to the kids? The number of children in poverty is starting to go up—substantially, even when their family has gotten off welfare and is working.

World: One of the arguments in favor of the welfare bill involved ''devolution.'' Do you accept the general proposition that states can provide welfare better than the federal government?

PS: Well, the states were always doing it, under federal guidelines. Now we've taken away the guidelines and given the states money with some broad limitations.

I have no problem with local communities running public assistance programs. They're much closer to the people and much more concerned, and somebody from Brooklyn doesn't know squat about what's needed in Monroe County, Wyoming, where an Indian reservation may be the sole source of your poverty population. But I want some standards—minimum standards for day care, minimum standards for job training. I'm talking about support standards, not punishment standards.

World: And the current bill has only punishment standards?

PS: Basically. It's a threat, it's a time limit, it's a plank to walk.

World: What about the idea that welfare reform would save the government money? How much money has been saved?

PS: I can get the budget figures for you, but I suspect we haven't saved one cent. I mean, do homeless people cost us? What is the cost in increased crime? We're building jails like they're going out of style. Does the welfare bill have anything to do with that? I don't know, but I wouldn't make the case that they're unrelated.

So if you take the societal costs—are we saving? And it's such a minuscule part of the budget anyway. It's like foreign aid. I could get standing applause in my district by saying, ''I don't like foreign aid.'' And if I ask people what we're spending on it, they say, ''Billions, billions!'' We spend diddly on foreign aid. The same is true for welfare. Any one of the Defense Department's bomber programs far exceeds the total cost of welfare.

World: Is there any hope of improving the country's welfare system in the short of medium term, given that the 1996 bill did have bipartisan support?

PS: It had precious little bipartisan support, but it had the president. No, I don't think we're apt to make changes. And what's fascinating is that with the turn in global events our economy may have peaked out. We may be heading down. And while this welfare reform may have worked in a booming economy, when the economy turns down, those grants to the states won't begin to cover what we'll need.

World: If Congress isn't likely to do anything, what can people in religious communities do to make sure the system is humane?

PS: They can get active at the state and local level. Various states may do better things or have better programs or more humane programs. And the lower the level of jurisdiction, the easier it is to make the change, whether it's in local schools or local social service delivery programs.

The other thing is to take the lead in going to court. It's the courts that have saved us time after time—in education, women's rights, abortion rights. We need to look for those occasions where a welfare agency does something illegal—and there will be some—and take up the cause of children whose civil rights are being violated.

World: Let's shift over to healthcare. In the 1992 presidential campaign, the idea of a universal healthcare plan was seen as very popular with the voters. Why did the Clinton health plan fail?

PS: I'd like to blame it on Ira Magaziner and all the monkey business that went on at the White House—the secret meetings and this hundred-person panel that ignored the legislative process. Their proposal became discredited before it ever got to Congress. We paid no attention to it. My subcommittee wrote our own bill which accomplished what the president said he wanted. It provided universal coverage, it was budget-neutral, and it was paid for on a progressive basis.

World: And it did that by expanding Medicare?

PS: Basically it required every employer to pay, in effect, an increase in the minimum wage, to provide either a payment of so much an hour or add insurance. And if they couldn't buy private-insurance at a price equivalent to the minimum wage increase, they could buy into Medicare—at no cost to the government, on a budget-neutral basis. But the bill allowed private insurance to continue, with the government as insurer of last resort.

We got it out of committee by a vote or two, but then on the House floor, we couldn't get any Republican votes. They unified against it, so we never had the votes to bring it up.

The Harry and Louise ads beat us badly. People were convinced that government regulation was bad, per se. It was just the beginning of the free market in medical care, which we're seeing the culmination of now in the for-profit HMOs and the Medicare choice plans that are collapsing like houses of cards all over the country. But back in 1993 the idea was ''Let the free market decide. HMOs will be created. They'll make a profit, they'll give people what they want. People will vote with their feet and the free market will apply its wonderful choice.''

World: Did that bill's defeat doom universal healthcare for a long time to come?

PS: It certainly doomed it for this decade and things are only getting worse. We now have a couple of million more people uninsured. We're up to about 43.5 million uninsured, and we were talking about 41 million back in 1993. And people on employer-paid health plans are either paying higher copays or getting more and more restricted benefits. Plus early retirement benefits are disappearing so that if people retire before 65, they often can't get affordable insurance. It will have to get just a little worse before we'll have a popular rebellion. We're seeing in the managed care bill of rights issue where people are today. To me, that's the most potent force out there in the public.

World: In both areas we've been discussing assistance to the poor and health insurance, the US government is taking less responsibility than virtually all the other industrial democracies.

PS: Why take just democracies? Even in the fascist countries, everybody's got healthcare. We are the only nation extant that doesn't offer healthcare to everybody.

Take our neighbor Canada. There is no more conservative government on this continent, north or south. I've heard the wealthiest right-wing Canadian government minister say: ''I went to private prep schools, but it never would occur to us Canadians to jump the queue, go to the head of the line in healthcare. We believe healthcare is universal. Now, we fight about spending levels, we fight about the bureaucracy, and we fight about how we're working the payment system.'' But they don't question it.

World: In the US we do question it—the right to healthcare, that is, Why?

PS: It's connected with this idea of independence. Where do we get the militias from, and those yahoos who run around in soldier suits and shoot paint guns at each other?

World: The frontier ethos?

PS: Maybe, maybe. And the American Medical Association is not exactly exempt from blame. The physicians are the most antigovernment group of all. They're the highest paid profession in America by far, and so they are protecting their economic interests. Though the government now looks a little better to them than the insurance industry because they have more control over government than over the insurance companies.

Look, the country was barely ready for Medicare when that went through. It just made it through Congress by a few votes. There are some of us who would have liked to see it include nursing home or long-term convalescent care. That can only be done through social insurance, but people won't admit it. They say, ''There's got to be a better way.'' It's a mantra. On healthcare: ''There's got to be a better way.'' Education: ''There's got to be a better way.''

They've yet to say it for defense though. I'm waiting for them to privatize the Defense Department and turn it over to Pinkerton. Although in a way they have. There's a bunch of retired generals right outside the Beltway making millions of dollars of government money training the armed forces in Bosnia. I was there and what a bunch of crackpots! They've got these former drill sergeants over there, including people out to try to start wars on our ticket.

World: A few more short questions. Have the culture and atmosphere of the House changed in the years since you arrived here?

PS: Yes, though I spent 22 years in the majority and now four in the minority, so I may just be remembering good old days that weren't so good. Back when I was trying to end the Vietnam War. I was in just as much of a minority as I am now, and I didn't have a subcommittee chair to give me any power or leverage.

On the other hand, look at the country now. Look at TV talk shows—they argue and shout and scream, and then they call it journalism. Maybe we're just following in their footsteps.

World: Is it a spiritual challenge for you to have to work with, or at least alongside, people with whom you disagree, sometimes violently?

PS: Yes, and I don't a very good job. My wife says, ''When you retire, why don't you become an ambassador?'' And I say, ''Diplomacy doesn't run deep in these genes.'' But it's tough if you internalize your politics and believe in them.

Still, I like legislating—to make it all work, to take all the pieces that are pushing on you, to make the legislation fit, to accommodate and accomplish a goal. It really makes the job kind of fascinating. I once reformed the part of the income tax bill that applies to life insurance, and that's one of the most arcane and complex parts of the tax bill. It was fun—bringing people together and getting something like that. And actually writing that health bill was fun.

But not now. We don't have any committee hearings or meetings anymore. It's all done in back rooms. Under the Democratic leadership we used to go into the back room, but there were a lot of us in the room. Now they write bills in the speaker's office and avoid the committee system. I mean, it's done deals. We're not doing any legislating, or not very much.

World: Do you think about quitting?

PS: No, I don't think about quitting. I'd consider doing something else, but I don't know what that is. Secretary of health and human services? Sure, but don't hold your breath until I'm offered the job. Even in the minority, being in the Congress is fascinating, and as long as my health and faculties hold out. * * * I mean, I'm not much interested in shuffleboard or model airplanes.

MASS IMMIGRATION REDUCTION ACT

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. STUMP. Mr. Speaker, on January 6, with the support of 48 original cosponsors, I introduced the Mass Immigration Reduction Act. My bill, formerly called the Immigration Moratorium Act, provides for a significant, but temporary, cut in legal immigration to the United States.

Mr. Speaker, I believe that many Members of this body would be surprised to learn that the immigrant population is now growing faster than at any time in our nation's history. The number of immigrants living in the United States has almost tripled since 1970, from 9.6 million to 26.3 million. This profusion in immigrants has a profound and costly impact on our way of life. For example, the net annual current fiscal burden imposed on native households at all levels of government by immigrant households nationally is estimated to range from $14.8 to $20.2 billion. As troubling, the poverty rate for immigrants is nearly 50 percent higher than that of natives. This suggests that our immigration policies are not only unfair to citizens, but are a disservice to immigrants who come here looking for a better, more prosperous way of life. As federal legislators, we have an obligation to take a serious look at our immigration policies and the problems that stem from them. It is our duty to devise an immigration system that is in our nation's best interest.

Under my proposed legislation, immigration would be limited to the spouses and minor children of U.S. citizens, 25,000 refugees, 5,000 employment-based priority workers and a limited number of immigrants currently waiting in the immigration backlog. The changes would expire after five years, provided no adverse impact would result from an immigration increase. Total immigration under my bill would be around 300,000 per year, down from the current level of about one million annually. I should emphasize that my bill is not intended to serve as a permanent long-term immigration policy. It would provide a lull in legal immigration, during which time we would have an opportunity to reevaluate America's immigration needs and set up more appropriate conditions under which immigrants may become permanent residents of the United States.

In closing, Mr. Speaker, let me stress that we should continue to welcome immigrants to our great country. However, we should do so under a well-regulated policy that is based upon America's needs and interests. Currently, we lack such a policy. Our system allows for unmanageable levels of immigrants with little regard for the impact the levels have on our limited ability to absorb and assimilate newcomers. I strongly urge my colleagues to examine our immigration system and ask themselves whether it is in the best interests of their constituents to continue the unprecedented trend of mass immigration. I encourage Members to support my bill, and look forward to productive debate on this important issue.

LEGISLATION TO RAISE THE MANDATORY RETIREMENT AGE FOR U.S. CAPITOL POLICE OFFICERS FROM 57 TO 60

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. TRAFICANT. Mr. Speaker, on January 6, 1999 I introduced legislation to change the mandatory retirement age for U.S. Capitol Police Officers from 57 to 60. It is identical to legislation I introduced in the last Congress, and I urge all of my colleagues to support this important bill.

As every Member of Congress knows, the Capitol Police is one of the most professional and dedicated law enforcement agencies in the country. They perform a vital and important function. The force is blessed to have a large number of experienced and highly competent officers. Unfortunately, every year dozens of officers are forced to leave the force because of the mandatory retirement rule. Many of these officers are in excellent physical condition. Most important, they possess a wealth of experience and savvy that is difficult, if not impossible, to replace.

Raising the mandatory retirement age from 57 to 60 will provide the Capitol Police with the flexibility necessary to retain experienced, highly competent and dedicated officers. It will enhance and improve security by ensuring that the force experiences a slower rate of turnover.

I introduce this legislation at a time when the Capitol Police is struggling to increase the size of its force in the face of an increased workload. For example, I have spoken to a number of officers who are routinely working up to 56 hours of overtime a month. Plans by the Capitol Police Board to hire an additional 260 officers will not fully alleviate this serious problem. Raising the retirement age will certainly help to reduce the workload of the force.

Should this legislation become law, Capitol Police officers between the ages of 57 and 60 would still have to meet the standard requirements to remain on the force, including proficiency on the shooting range.

This legislation is a commonsense measure that will go a long way in improving and enhancing what is already one of the finest law enforcement agencies in the world. Once again, I urge my colleagues to support this bill.

DISTINGUISHED INDIVIDUALS FROM INDIANA'S FIRST CONGRESSIONAL DISTRICT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. VISCLOSKY. Mr. Speaker, as we celebrate the birth of Dr. Martin Luther King, Jr., and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicacy of liberty. Dr. King's life and, unfortunately, his vicious murder, remind us that we must continually work and, if necessary, fight to secure and protect our freedoms. Dr. King, in his courage to act, his willingness to meet challenges, and his

ability to achieve, embodied all that is good and true in that battle for liberty.

The spirit of Dr. King lives on in many of the citizens in communities throughout our nation. It lives on in the people whose actions reflect the spirit of dedication and achievement that will help move our country into the future. In particular, several distinguished individuals from Indiana's First Congressional District will be recognized during the 20th Annual Dr. Martin Luther King, Jr. Memorial Breakfast on Monday, January 18, 1999, at the Gary Genesis Center in Gary, Indiana. In the past year, these individuals have, in their own ways, acted with courage, met challenges, and used their abilities to reach goals and enhance their communities.

Former Gary City Councilman Roosevelt Haywood will be honored with the 1999 ''Marcher's Award'' for his contributions to the struggle for equality of civil rights. As a leader of the Fair Share Organization, he worked diligently in his fight for the civil rights of all minorities. In addition, Mr. Clifford Minton will receive the prestigious 1999 Dr. Martin Luther King, Jr. ''Drum Major Award'' for his outstanding contributions to fighting segregation. Clifford was one of the founders of the Frontiers International Civic Club and is the former Director of the Urban League of Northwest Indiana. Both Roosevelt Haywood and Clifford Minton should be applauded for their civil rights efforts in Northwest Indiana.

I would also like to recognize several Gary Tolleston Junior High School students: Tynese Anderson; Kenneth Bonner; Breone Dupre; LaKisha Girder; LeYona Greer; Katina Haaland-Ramer; Floyd Hobson; Leah Johnson; Ayashia Muhammad; Brooklyn Rogers; Brannon Smith; Mason Smith; Whitney Sullivan; Sheena Tinner; Phyllis Walker; and Courtney Williams. These students are members of the Tolleston Junior High School Spell Bowl Team, which won its fifth consecutive State Spell Bowl Championship. The team's success is also a credit to the outstanding ability and leadership of its teachers. In particular, Margaret Hymes and Janice Williams should be commended for the devotion they have demonstrated as coaches for the Tolleston Junior High Spell Bowl Team. Additionally, Tolleston Principal Lucille Upshaw and Dr. Mary Guinn, Gary Superintendent of Schools, should be recognized for their support. The accomplishments of these outstanding individuals are a reflection of their hard work and dedication to scholarship. Their scholastic effort and rigorous approach to learning have made them the best in the state. They have also brought pride to themselves, their families, their schools and their communities.

Additionally, I would like to take this opportunity to commend Miss Andrea Ledbetter of Gary, Indiana. She has been selected for the People to People Student Ambassador Program as part of the delegation going to New Zealand. The roots of the Student Ambassador Program reach back to 1956, when U.S. President Dwight D. Eisenhower founded People to People. He believed that individuals reaching out in friendship to citizens of other countries could contribute significantly to world peace. This is an excellent opportunity for Andrea to experience unparalleled opportunities for personal growth through an enriching program of educational and cultural interaction in another country.

Though very different in nature, the achievements of all these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and rose to the occasion. They set goals and worked to achieve them. Mr. Speaker, I urge you and my other colleagues to join me in commending their initiative, determination and dedication.

IN SUPPORT OF AMERICAN INDIAN HEALTH & SERVICES

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mrs. CAPPS. Mr. Speaker, today I rise in support of American Indian Health & Services. American Indian Health & Services is a nonprofit organization that has been providing needed health services to Native Americans in Santa Barbara County since 1995. The mission of the organization is to improve the health and general welfare status of urban American Indians by providing quality comprehensive health services that are culturally appropriate, accessible and socially responsive. The organization serves all members of tribes and nations in an atmosphere that respects individuality, culture and identity.

American Indian Health & Services is celebrating five years of care and has received Federal, State, County and private funding to provide alcohol and substance abuse counseling, medical and dental care, youth programs, elders programs, benefits counseling and disease prevention.

As a nurse, I am very pleased to join the Board of Directors, staff, and volunteers in celebrating five outstanding years of care.

HOUSE GIFT RULE AMENDMENT

SPEECH OF

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. FRANKS of New Jersey. Mr. Speaker, I rise today in strong opposition to the weakening of the Gift Ban in the House of Representatives.

For the past several years, the American people have become increasingly concerned about the power of special interests in Washington. They believe, sometimes correctly, that the day-to-day relationship between lobbyists and Members of Congress is simply too cozy. This has caused many Americans to wonder whose agenda is being pursued in Washington, the public's interest or the special interests?

For this reason, in October of 1995, I voluntarily instituted a Zero Tolerance Gift Ban on my office. Under this policy, my office no longer accepts any gifts from either constituents or special interests. All gifts that I or members of my staff receive have been returned or donated to a local charity. Meals paid by lobbyists are outlawed under my policy as well, and so are free tickets to sporting or commercialized cultural events. In addition to these restrictions, no junkets are allowed. A remarkable number of special interest groups still offer all-expense-paid trips for members of Congress and their staff. In my office, these invitations are rejected.

After voluntarily imposing my own Gift Ban, I supported legislation to institute a Gift Ban that applied to all House Members and their staff. This new House-wide policy went into effect on January 1, 1996. I was proud to support this much needed reform in the House of Representatives. However today, I am saddened to learn that House leadership has chosen to take steps backward in our reform efforts. The legislation quickly passed on the House floor today, without the opportunity for opposition from Members, begins to unravel the policy we enacted two years ago. Weakening the reforms we previously supported undermines our previous efforts and gives the American people reason to question our motives. Had I been given the opportunity to vote on this motion Mr. Speaker, I would have voted against diluting the House Gift Ban.

CONGRATULATIONS TO THE MONTGOMERY COUNTY SENIOR YOUTH ORCHESTRA

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mrs. MORELLA. Mr. Speaker, I rise today to honor the 115 outstanding young men and women in the Montgomery County Senior Youth Orchestra. The members of this illustrious group have been selected to represent Montgomery County and the state of Maryland at the American Celebration of Music which will take place in Austria from June 18–27, 1999.

The Montgomery County Senior Youth Orchestra is one of a very select group of musical organizations in the United States who will be celebrating the rich musical and cultural heritage of Austria, and observing the centennial of Johann Strauss. Under the direction of Olivia W. Gutoff, the orchestra will perform in Austria's four imperial cities: Vienna, Salzburg, Innsbruck and Graz.

One of the oldest youth orchestra programs in the country, the Montgomery County Youth Orchestra program was founded in 1946. It enjoys an international reputation, having performed in England, Wales, Switzerland, and at the Mid-West International Band and Orchestra Clinic, the Music Educators National Conference, the Music Educators National Conference Eastern Division Conference and the Maryland Music Educators Conference. The Montgomery County Youth Orchestra's summer music program led to the formation of the Maryland Center for the Arts, which is now operated by the Maryland State Department of Education. Over the years, the Montgomery County Youth Orchestra program has grown from one orchestra to four. These four are the String Ensemble, Preparatory, Junior and Senior Orchestra.

Mr. Speaker, I congratulate the outstanding young men and women of the Montgomery County Senior Youth Orchestra and their conductor, Mrs. Olivia Gutoff. I thank them for the honor which has been bestowed upon Maryland as they represent us at the American

Celebration of Music. I know they will represent my wonderful state, and my district, very well.

STUDENT PROTECTION FROM SEXUAL ABUSE ACT OF 1999

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Ms. NORTON. Mr. Speaker, I introduce the Student Protection from Sexual Abuse Act of 1999 today because the U.S. Supreme Court has asked for Congressional guidance on whether we intend Title IX to allow damages and/or injunctive relief when a 9th grade student is sexually assaulted and harassed. Like the four Members of the Supreme Court in the closely divided 1998 opinion, *Gebser* v. *Largo Vista School District*, I believe that Congress intended damages and injunctive relief when a child is sexually assaulted by a teacher while in school. I agree with Justice Stevens and the dissenting justices, as well as the Department of Education, that the Court's own prior rulings and the statute itself allows damages without meeting criteria that virtually guaranteed no Title IX remedy. The majority of the Court, however, concluded that it needed ''further direction from Congress.''

This bill provides that guidance. I believe that no Member would want to be responsible for the bizarre and unacceptable result that sexual harassment is now covered when a principal harasses a teacher but not when a teacher assaults or harasses an underaged student. I do not believe that Congress intends for a school system to be able to virtually immunize itself from damages even though a teacher repeatedly has had intercourse with a ninth grader. Further, my bill not only protects a child and her parents, but the school system as well by limiting damages to compensatory damages.

The Court says it's our fault. Twenty-seven years ago, when Title IX was written, Congress did not foresee what we see clearly today: cases of teacher-student sexual abuse are arising fast and often. The ball is in our court, and this is not child's play. The Supreme Court in the *Gebser* decision has given the Congress a virtual summons to remedy, or, if you prefer, to update our own language to correct a glaring child abuse gap in our law.

I ask for bipartisan support on this the Student Protection from Sexual Abuse Act of 1999 and for passage this year. The earlier we do so, the sooner school systems will take action to prevent sexual abuse of children committed to their charge, thus eliminating the need for court suits.

TRIBUTE TO LA.COM

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to LA.com and its founders, David Ezra and Martin Mizrahi.

As more and more Americans turn to the web as a source of information, LA.com provides comprehensive information on entertainment, business and consumer information affecting the LA area. In addition, it provides travel and tourism information, as well as traffic assistance. More importantly, it also provides free exposure for organizations to advertise their philanthropic and cultural events.

In offering a venue for various public service organizations, it provides these groups with an opportunity to share their services and information with a large audience they might not otherwise reach.

LA.com offers something for everyone looking for everything from critical information in or around Los Angeles, to entertainment and social happenings. In establishing this site, David Ezra and Marty Mizrahi have provided to a valuable resource the people who visit and live in Los Angeles by which they can be informed of important occurrences throughout the city.

Mr. Speaker, distinguished colleagues, please join me in commending these gentlemen. These innovative entrepreneurs are paving the way for other cities to follow in disseminating important information among the community.

SPECIAL RECOGNITION OF JUDGE JOHN R. EVANS UPON HIS RETIREMENT FROM PUBLIC SERVICE

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. OXLEY. Mr. Speaker, I rise to honor a true public servant and long time friend, Judge John Evans of Lima, Ohio. Judge Evans has served the good people of America and of Ohio ever since joining the United States Army Infantry in November of 1953.

Judge Evans was born in Lima on January 11, 1928. Upon his completion of high school in 1945, Judge Evans went on to Miami University, Oxford, Ohio where he graduated with a bachelor of science degree in mathematics. In 1949, he entered Ohio Northern University Law School where he received his degree in jurisprudence. While honorably serving in the United States Army he was awarded the American Spirit Honor Medal. After completing his military service, he returned to Lima where he entered private practice on January 2, 1955. Beginning January 1957, he served as Assistant Prosecuting Attorney for Allen County, Ohio until January 1962 when he became Director of Law for the City of Lima. Moreover, Judge Evans was Solicitor of the Village of Spencerville, Ohio.

In January 1963, Judge Evans became a partner in the law firm of Gooding, Evans & Huffman, where he practiced until January 1987. Judge Evans was elected to the Third District Court of Appeals and took his oath of office in February the same year.

In addition to his professional responsibilities and family, which include his wife, Joyce, and three sons, Judge Evans has served as trustee of the Ohio Forestry Association, a member of the Board of the Lima Symphony Orchestra, trustee of Woodlawn Cemetery Association and a member of the advisory committee of the Ohio Biological Survey. He also served as a member of the Civil Service Board for the City of Lima.

Mr. Speaker, as you can witness by this long list of public service and generosity to the people of Allen County, Judge Evans will be sorely missed after his retirement from the bench. I do know that he will continue to work on worthwhile community projects during his well deserved retirement. I commend Judge Evans and wish him and his wife, Joyce, all the best in this New Year.

IN MEMORY OF A. LEON HIGGINBOTHAM, JR.

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. CUMMINGS. Mr. Speaker, I rise to pay tribute to A. Leon Higginbotham, Jr.

Higginbotham, a noted civil rights defender who went on to become one of the country's most prominent African-American judges, recently died in Boston after suffering several strokes. He was 70.

Throughout his life, as a judge and scholar, Mr. Higginbotham was known as a passionate defender of civil rights. The late Supreme Court Justice Thurgood Marshall once called him ''a great lawyer and a very great judge.''

A native of Trenton, N.J., Higginbotham earned his law degree at Yale Law School.

In 1962, President John F. Kennedy named him to the Federal Trade Commission, making him the FTC's first African-American commissioner.

Higginbotham served as president of the Philadelphia chapter of the National Association for the Advancement of Colored People (NAACP) from 1960–1962.

In 1964, Higginbotham was appointed to the U.S. District Court in the Eastern District of Pennsylvania, becoming the third African-American federal district judge.

Four years later, President Lyndon Johnson appointed him vice chairman of the National Commission on the Causes and Prevention of Violence, to investigate the urban riots of the 1960's. The resulting Kerner Report blamed the growing polarization between blacks and whites for the violence.

Higgonbotham again broke new ground in 1969 when he became Yale's first African-American trustee.

In 1977, he was appointed by President Jimmy Carter as judge of the 3rd U.S. Circuit Court of Appeals. In 1989, he became chief judge of the U.S. Third Circuit Court of Appeals, which covers Pennsylvania, New Jersey and Delaware.

He retired from the bench in 1993 and became a public service professor of jurisprudence at Harvard's John F. Kennedy School of Government.

At the request of South African leader Nelson Mandela, Higginbotham became an international mediator for issues surrounding the 1994 national elections in which all South Africans could participate for the first time.

Mr. Higginbotham was awarded the nation's highest civilian award, the Presidential Medal of Freedom in 1995, a year after he was honored with the Raoul Wallenberg Humanitarian Award.

In 1995, the American Association of University Professors appointed Higginbotham to its panel to investigate the University of California Board of Regents' decision to end race-based affirmative action.

Recently, Mr. Higginbotham urged the House Judiciary Committee not to impeach President Clinton. ''Perjury has graduations. Some are serious, some are less,'' he testifed. ''If the president broke the 55-mph speed limit and said under oath he was going 49, that would not be an impeachable high crime. And neither is this.''

Mr. Higginbotham is also acclaimed for his multivolume study of race, ''Race and the American Legal Process.'' In those books, he examined how colonial law was linked to slavery and racism, and examined how the post emancipation legal system continued to perpetuate oppression of blacks.

At the time of his death, Higginbotham was working on an autobiography.

He leaves his wife, Evelyn Brooks Higginbotham, a professor of history and Afro-American studies at Harvard; two daughters, Karen and Nia; and two sons, Stephen and Kenneth.

RE-INTRODUCTION OF THE ''CODE OF ELECTION ETHICS''

HON. JOHN ELIAS BALDACCI

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. BALDACCI. Mr. Speaker, most campaign reform efforts are focused on the financing aspect. This is an important issue, and I have been a strong proponent of moving forward with campaign finance reform. However, while the American people are tired of the abuses in our campaign finance system, they are equally tired of the negative campaigns that seem to have become the norm. The tone of campaigns—as well as their financing—has an impact on public trust in government and citizen participation in the electoral process.

For that reason, I am today re-introducing legislation that would encourage congressional candidates to abide by a ''Code of Election Ethics.'' It is based on the Maine Code of Election Conduct, which was developed by the Margaret Chase Smith Center for Public Policy at the University of Maine and the Center for Global Ethics in Camden, Maine. During the 1996 and 1998 general elections, all Maine Gubernatorial and Congressional candidates agreed to abide by the state Code. The Code worked well, and Maine voters benefited from generally positive, issue-based campaigns. Maine's voter participation rate was among the highest in the nation.

This Code of Election Ethics asks candidates to be ''honest, fair, respectful, responsible and compassionate'' in their campaigns. The bill requires the Clerk of the House and the Secretary of the Senate to make public the names of candidates who have agreed to the Code.

I believe that the American people want a campaign system they can be proud of. This has to include two parts. First, we must clean up the way in which campaigns are financed. And second, we must elevate the level of the debate between candidates, to ensure that we engage in civilized and substantive campaigns. The Code of Election Ethics will serve as a reminder to candidates, and provide the public with a yardstick by which to measure the performance of candidates.

Something must be done to enhance people's confidence in government and faith in our democracy. I believe this bill is a step in the right direction. I am proud to have Representatives ALLEN and HINCHEY joining me as original co-sponsors, and I hope that many of you will add your support to this effort to improve the quality of congressional campaigns.

SOFT MONEY BAN

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mrs. MINK of Hawaii. Mr. Speaker, last session, we came close to passing meaningful campaign finance reform that would have put integrity back in our election laws. Unfortunately, the final bill died in the House and the 1998 elections were business as usual.

When we look at the numbers of the 1998 election, they tell us the whole story: that money decided the winners and losers of the elections.

According to the Center for Responsive Politics, in 94 percent of Senate races and 95 percent of U.S. House races, the candidate who spent the most money was the winner on election day. In the House of Representatives, incumbent re-election rate was 98 percent—the highest rate since 1988 and one of the highest this century. This re-election rate was directly attributed to the amount of money spent.

We have got to take a stand now. If we do not, the race for money will only continue to grow and grow.

We can argue on the numerous provisions that should be included in comprehensive campaign finance reform, but one thing we should all agree on is the banning of soft money to National Parties.

My bill simply does that. It places the same limits on the contributions to the National Parties as is currently in effect for contributions made to all candidates for federal office.

Let's ban soft money this year. Let's take a stand and restore confidence in our government.

INTRODUCTION OF LEGISLATION TO HELP MEDICARE BENEFICIARIES HURT BY Y2K COMPUTER DELAYS IN HOSPITAL OUTPATIENT DEPARTMENT PAYMENT REFORM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. STARK. Mr. Speaker, a number of Medicare provisions in the Balanced Budget Act have been delayed because of the Year 2000 computer ''bug'' problem. One delay involves postponing reforms in the way Medicare pays for beneficiaries who receive services in hospital outpatient departments (HOPDs).

This is as complicated and Byzantine an area of payment policy as exists in Medicare—but the bottom line is that the delay will cost seniors and the disabled $460 million in 1999 compared to what they would have saved if the HOPD reform that Congress intended and enacted had proceeded on course.

$460 million is a lot of money for seniors facing medical problems. Hopefully, HCFA's Y2K corrections will proceed on schedule and beneficiaries can begin saving money in 2001 when the HOPD changes are implemented. But in case there are problems, seniors could continue to see higher costs than they should well into year 2000.

This is a relatively simple problem to fix. I am introducing a bill today that will deliver on the BBA's promise to seniors of nearly half a billion in savings in 1999. I urge the Ways and Means and Senate Finance Committees to consider this proposal on an emergency basis. It will have no cost of Medicare—but it will provide much needed relief from HOPD overcharges. It has the support of the Administration.

Following is a technical explanation of the problem and the solution. Again, Mr. Speaker, we should not get lost in the turgidness of the issue—we should just keep our eyes on the fact that the half billion in promised savings can still be achieved.

PROPOSAL TO REDUCE MEDICARE OUTPATIENT DEPARTMENT COINSURANCE

CURRENT LAW

Coinsurance for hospital outpatient department (OPD) services is currently based on 20 percent of a hospital's charge. Under the prospective payment system (PPS) for hospital OPD services, coinsurance will no longer be based on charges. Instead, base copayment amounts will be established for each group of services based on the national median of charges for services in the group in 1996 and updated to 1999. These copayment amounts will be frozen until such time as coinsurance represents 20 percent of the total fee schedule amount. If the OPD PPS were implemented in 1999, calculation of the copayment amounts in such a fashion would result in coinsurance savings of $460 million for beneficiaries in 1999.

HCFA, however, will not be able to implement the OPD PPS in 1999 due to the intensive efforts and resources that must be devoted to achieving year 2000 compliance. It will be implemented as soon as possible after January 1, 2000. In the absence of the OPD PPS, coinsurance will continue to be based on 20 percent of charges.

PROPOSAL

Beginning on January 1, 1999 and until such time as the OPD PPS is implemented, coinsurance would be based on a specified percentage of charges, which will be lower than 20 percent. The specified percentage (e.g., 18% or 17.5%) would be calculated by the Secretary and specified in law so that the beneficiaries, in aggregate, would achieve coinsurance savings equal to $460 million in 1999. These savings are equal to the amount that would have been saved by beneficiaries in 1999 if the OPD PPS were implemented.

The Medicare payment, however, would continue to be calculated as if coinsurance were still based on 20 percent of charges. In so doing, the beneficiary coinsurance savings are not passed on to the Medicare program as a cost. Instead, the loss will be absorbed by hospitals, which is the same outcome that would have occurred in 1999 under the OPD PPS.

Under this proposal, hospitals would not be able to recoup their losses by increasing their charges. In fact, increasing their charges would result in a further loss. This is because higher charges cause an increase in coinsurance but an offsetting reduction in

the Medicare payment since coinsurance is subtracted out in order to determine the Medicare payment. Furthermore, since the Medicare payment is calculated as if coinsurance is 20% (rather than 18%), the Medicare payment would go down by more than the increase in the coinsurance payment (which is based on a lower percentage).

SIKH LEADER WRITES ON REPRESSION OF CHRISTIANS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. TOWNS. Mr. Speaker, as you know, there has been a recent wave of attacks by Hindu Nationalists on Christian churches, prayer halls, and schools. This has followed the killings of priests, the raping of four nuns by a Hindu mob described by the Hindu Nationalist VHP as ''patriotic youth.'' Just this week, more churches have been attacked. No action has been taken to stop the religious violence. This situation has made it clear to the world that India's claims of democracy and secularism are fraudulent.

In this light, it was encouraging to see a letter in the January 18 issue of the Washington Times by Dr. Gurmit Singh Aulakh, President of the council of Khalistan, that addresses this issue. We all know Dr. Aulakh to be a tough and fair advocate of independence for the Sikhs in Khalistan, who have also come under the tyranny of Indian ''secularism.'' I would recommend to my colleagues that they read Dr. Aulakh's letter. It will give them a lot of information on the reality of religious repression in India. As Dr. Aulakh wrote, ''These attacks show that religious freedom in India is a myth.''

Christians, Sikhs, and Muslims have suffered at the hands of India's ruling elite. As the letter shows, they are all being murdered by the Indian government. That government has paid more than 41,000 cash bounties to police officers for killing Sikhs. Meanwhile, Amnesty International and other independent human-rights monitors have been kept out of India since 1978, even longer than Communist Cuba has kept them out.

A country that kills its minorities for their ethnic or religious identity is not a fit recipient of American support. As the only superpower and the leader of the world, we have a duty to do whatever we can to support the cause of freedom in South Asia.

We should cut off American aid and trade to India until human rights, including religious liberty, are secure and regularly practiced. We should declare India a violator of religious freedom and impose the sanctions appropriate to that status. And to ensure the safety of religious and political freedom in South Asia, we should declare our support for the 17 freedom movements within India's borders. We can start by calling for full self-determination for the Sikhs of Khalistan, the Muslims of Kashmir, and the Christians of Nagaland. These steps will help bring the people of South Asia the kind of freedom that we in America enjoy.

Mr. Speaker, I would like to introduce Dr. Aulakh's letter in the January 18 Washington Times into the RECORD.

[From the Washington Times, Jan. 18, 1999]

INDIA CONTINUES TO RESTRICT RELIGIOUS FREEDOM

(By Gurmit Singh Aulakh)

Thank you for your editorial (''Mother Teresa's children,'' Jan. 10) exposing more than 90 attacks on Christians since the Bharatiya Janata Party (BJP) came to power last year. These attacks show that religious freedom in India is a myth.

Just when we thought the recent wave of attacks on Christians in India was over, your editorial exposed the burning of two more churches by Hindu mobs affiliated with the Vishwa Hindu Parishad, part of the Rashtriya Swayamsevak Sangh, a militant Hindu nationalist organization that is also the parent organization of the ruling (BJP).

It is not just Christians who have suffered from persecution and violence in the hands of the Indian government. Sikhs and Muslims, among others, have been victimized as well. In August 1997, Narinder Singh, a spokesman for the Golden Temple in Amritsar, the center and seat of the Sikh religion, told National Public Radio: ''The Indian government, all the time they boast that they're democratic, they're secular, but they have nothing to do with a democracy, they have nothing to do with secularism. They try to crush Sikhs just to please the majority.''

The Indian government has killed more than 200,000 Christians since 1947. It has also murdered more than 250,000 Sikhs since 1984, over 60,000 Muslims in Kashmir since 1988 and tens of thousands of other religious and ethnic minorities. The most revered mosque in India has been destroyed to build a Hindu temple. Police murdered the highest Sikh spiritual and religious leader, Akal Takht Jathedar Gurdev Singh Kaunke, and human rights activist Jaswant Singh Khalra. There are police witnesses to both of these crimes. The U.S. State Department reported that between 1992 and 1994 the Indian government paid more than 41,000 cash bounties to police for killing Sikhs. Plainclothes police continue to occupy the Golden Temple. There have been more than 200 reported atrocities against Sikhs since the Akali/Dal/BJP government took power in March 1997.

It is not just the BJP that has practiced religious tyranny in pursuit of a Hindu theocracy in India. Many of these incidents came under the rule of the Congress Party. No matter who is in power, the minorities in India suffer from severe oppression. The only solution is to support self-determination for the peoples and nations of South Asia, so they can live in freedom, peace, prosperity and security.

India is not a single country; it is a polyglot empire that was thrown together by the British for their political convenience. Its breakup is inevitable. As the world's only superpower, the United States has a responsibility to make sure this process is peaceful, as it was for the Soviet Union and Czechoslovakia. Otherwise, a Bosnia will be created in South Asia.

Thank you for exposing the true nature of India's ''secular democracy.'' Exposing these brutal practices will help bring true freedom to South Asia.

HOUSE CONSIDERATION OF H. RES. 611—IMPEACHMENT RESOLUTION

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. COYNE. Mr. Speaker, I rise today in opposition to this resolution, to these articles of impeachment, and to these unfair, partisan proceedings which deny Members the right to vote on the alternative of censure.

Mr. Speaker, we are all disappointed by the President's actions. The President himself has admitted that he acted improperly and then misled the public, his family, his staff, and others about those actions.

This debate today, however, is not simply about whether the President did something wrong, or even whether he did something illegal. Rather, the issue before us today is what, if any, action Congress should take in response. Specifically, the Members of the House are being asked whether we believe that President Clinton's actions were so egregious that he should be impeached and removed from office. I do not believe that these misdeeds merit impeachment.

Impeachment is a statement by Congress that the President is unable to carry out the responsibilities of his office, or that he cannot be trusted to do so. The Constitution specifies ''Treason, Bribery, or other high Crimes and Misdemeanors'' as the proper grounds for impeachment. Impeachment, by removing the nation's highest elected official, nullifies a vote made by the American people—in President Clinton's case twice—and I believe that it should only be undertaken in the most dire of circumstances. Impeachment has historically been understood to be an option that should only be exercised when continuation of the President in office presents a clear and serious threat to our nation or our constitutional form of government. I do not believe that the President's offenses reach the threshold for impeachment.

Rather, I believe that censure of the President by the House and Senate is a more appropriate punishment. Censure would reflect for all time Congress and the public's disapproval of the President's behavior, and it would balance the need to punish the President with the public's desire to have him finish out his term.

Some have suggested that censure would allow the president to escape punishment for his misdeeds. That isn't the case. Others argue that censure of President Clinton, like the censure of President Andrew Jackson, could be overturned and would therefore be meaningless. To them, I can only observe that Americans are not fools. I believe that Americans in coming years will judge President Clinton, as well as the Members of the 105th Congress, wisely and with the perspective that only time can bring to this contentious issue. Let us hope that each of us here today will be able to meet history's more objective scrutiny.

Consequently, I will vote today against impeachment. It is unfortunate and unfair that my colleagues and I will not be given the opportunity to vote on a censure motion. I believe that we should have that choice. The Republican leadership is apparently afraid that a number of their Members, if given the opportunity, would vote for censure and against impeachment.

I will vote in favor of any procedural motions to allow a vote on censure, but I have little hope that such efforts will prevail. The majority leadership has made it known that all Republicans must support procedural votes on impeachment and censure, and that they will face serious repercussions if they do not toe the line. That is unfortunate. Every Member should be allowed to freely vote his or her conscience on an important question like this.

History will long remember what we do here today. These may be the most significant votes that we ever cast. They may be the votes by which many of us are remembered, and they will likely define our own individual legacies as well as the President's. I urge my colleagues to bear that in mind when they vote today.

IN MEMORY OF CHRISTINA WILLIAMS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. FARR of California. Mr. Speaker, I rise today with a heavy heart and profound sadness. I am overcome by the emotions I feel as both a father and a Member of Congress.

On June 12, 1998, Christina Williams disappeared from her California neighborhood. Now seven months of waiting and worry have come to a sad end. This weekend we will bury Christina.

Our community knows now that what should have been a perfectly innocent, completely safe activity for a 13-year-old—walking the family dog—turned into something so horrible, so unimaginable, that we tremble to think of the fate that Christina met.

The coming weeks and continuing investigation will provide some answers. But we must ask greater ones.

Each and every one of us must ask what we can do to make this world a safer place for children. As an elected official, I know there are limits to what the law can do and the tragedies it can prevent. But I vow before you today that I will do all I can as a Congressman, a citizen and as a parent.

One of my first tasks is to thank the countless volunteers who have come to the aid of Christina's family during this tremendously painful ordeal. My heart is with the friends, relatives, community members and law enforcement officials who now face this tragedy after such dedication.

Yet our greater responsibility remains. We must join Christina's parents, Alice and Michael, and the Williams family in the great challenge that lies before them. Those who loved Christina have vowed to make her memory a call to action. To turn their anger and pain into a mission to make our country a safe place to raise loved, secure children.

My fellow Members of Congress, you must pledge that our federal government will do everything in its legislative and fiscal powers to bring a halt to crimes against children, especially those whose whereabouts are still unknown. Only then will every parent and every child live in a world made safer by Christina's ordeal.

To all watching us today, I ask for your continued prayers for the Williamses and the extended family that is the Central Coast of California. And I ask you to join us, when it is time to move from the mourning and grief, in the challenge that lies before us.

CRIME STOPPERS RESOLUTIONS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mrs. MINK of Hawaii. Mr. Speaker, today I am introducing a resolution recognizing the success of Crime Stoppers worldwide.

Originally beginning in Albuquerque, New Mexico 23 years ago, today there are over 1,000 Crime Stoppers chapters throughout the world. Crime Stoppers International was established to support a worldwide network of Crime Stoppers programs. It provides a forum for leadership and training as well as fosters cooperation and information exchange between local Crime Stoppers programs across the globe.

Crime Stoppers is based on the principle that ''someone other than the criminal has information that can solve a crime.'' Crime Stoppers combats the three major problems faced by law enforcement in generating that information: fear of reprisal, an attitude of apathy, and reluctance to get involved. By offering anonymity to people who provide information and by paying rewards Crime Stoppers combats these problems leading to arrest of the criminal.

This formula has resulted in a commendable record of success. Crime Stoppers programs worldwide have solved over half a million crimes and recovered over 3 billion dollars worth of stolen property and narcotics.

I urge my colleagues to join me in recognizing the success of Crime Stoppers and applaud Crime Stoppers International in its work to bring Crime Stoppers chapters worldwide together to fight crime.

THE VIOLENCE AGAINST WOMEN ACT OF 1999

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. CONYERS. Mr. Speaker, every year nearly 1.5 million women are the victims of domestic violence. Today I am proud to introduce the Violence Against Women Act of 1999. I am joined by Congresswomen CONSTANCE A. MORELLA and LUCILLE ROYBAL-ALLARD, along with 89 other original co-sponsors. Together, we take the first step that will make America safer for women.

Nearly 5 years ago, Congress passed the original Violence Against Women Act. In the original legislation, funding was provided for battered women's shelters and rape crisis centers as well as establishing a domestic violence hotline. Now we must work to continue those commitments.

I am hopeful for passage of this legislation in the 106th Congress. Last year, significant portions of this legislation were unanimously agreed to by the House of Representatives as an amendment to the Child Protection and Sexual Predators Punishment Act of 1998. I feel confident that this Congress can see fit to not only follow that lead, but do even more for victims of sexual abuse, domestic violence and rape.

One of the key titles of this landmark legislation is Violence Against Women and the Workplace. This section establishes a grant for a national clearinghouse and resource center to provide information and assistance to employers and labor organizations in their efforts to develop and implement responses to assist victims of domestic violence and sexual assault. Also found in this section is a tax credit for businesses implementing workplace safety programs to combat violence against women as well as establishing Victim's Employment Rights which prohibits employers from taking adverse job actions against an employee because they are the victim of violent crime.

The legislation makes important strides in improving the lives of not only women, but children as well. Title II, Limiting the Effects of Violence on Children, provides grants to create safe havens for children of victims of domestic violence. Children who witness domestic violence are at a high risk of anxiety and depression, and exhibit more aggressive, antisocial, inhibited and fearful behaviors. This title helps to ensure that children are protected from the effects of witnessing acts of domestic violence. Also, this title will provide funds to train child welfare workers to recognize the signs of domestic violence and sexual assault in the home.

Title III of VAWA '99 works to prevent sexual assault against women. It establishes a National Resource Center on Sexual Assault as well as increases funds for rape prevention and education. This title also includes the language of the Hate Crimes Prevention Act which amends federal hate crimes legislation to permit federal prosecution for bias crimes based on gender, sexual orientation, or disability. Furthermore, language concerning the prevention of custodial sexual assault by correctional staff will make sexual conduct between all prison custodial staff and inmates a federal crime and establish measures to ensure that those convicted of such crimes are prevented from becoming correctional staff in the future.

The Violence Against Women Act of 1999 includes other important provisions such as the rescheduling and classification of date-rape drugs; establishing grants for improved legal advocacy and representation of victims of sexual violence; and provisions to protect battered immigrant women.

Nearly one in every three adult women experience at least one physical assault by a partner during adulthood. I urge my colleagues to join me in the fight to protect women from sexual abuse and violence. I encourage all Members to become a co-sponsor of this legislation and work towards passage of the Violence Against Women Act of 1999.

THE VIOLENCE AGAINST WOMEN ACT OF 1999

SECTION BY SECTION JANUARY 1999

TITLE I.—Continuing the Commitment of the Violence Against Women Act

Subtitle A. Law Enforcement and Prosecution Grants to Combat Violence Against Women—reauthorizes and amends STOP grants to increase funds and to ensure that domestic violence and sexual assault advocates are involved in planning and implementation of programs; proposes new formula—35% to victim services, 20% each to prosecution and law enforcement, 10% to state courts, and 15% discretionary with language to ensure that there will be no harm to existing programs.

Subtitle B. National Domestic Violence Hotline—reauthorizes funding for the National Domestic Violence Hotline; includes

additional oversight and review prior to reauthorization.

Subtitle C. Battered Women's Shelters and Services—amends Family Violence Prevention and Services Act to authorize $1 billion to battered women's shelters over the next five years; includes additional oversight and review; caps spending for training and technical assistance by State coalitions with the remaining money going to domestic violence programs; adds new proposals for training and technical assistance; allots money for tribal domestic violence coalitions.

Subtitle D. Grants for Community Initiatives—reauthorizes and increases funding for grants for community initiatives; includes additional oversight.

Subtitle E. Education and Training for Judges and Court Personnel—reauthorizes funding for federal and state judicial training on violence against women; adds a training component on domestic violence and child abuse in custody determinations.

Subtitle F. Grants to Encourage Arrest Policies—reauthorizes funding for implementation of proarrest policies in domestic violence cases; coordinates computer tracking of cases to ensure communication among police, prosecution and courts; strengthens legal advocacy programs for victims; adds set-aside for tribes.

Subtitle G. Rural Domestic Violence and Child Abuse Enforcement—reauthorizes funding for the establishment of cooperative efforts among law enforcement, prosecutors and victim advocacy groups to provide investigation, prosecution, counseling, treatment, and education with respect to domestic violence and child abuse in rural communities; adds set-aside for tribes.

Subtitle H. National Stalker and Domestic Violence Reduction—reauthorizes funding for the improvement of local, State and national crime databases for tracking stalking and domestic violence.

Subtitle I. Federal Victims' Counselors—reauthorizes funding for Victim/Witness Counselors in the prosecution of sex crimes and domestic violence under federal law.

Subtitle J. Education and Prevention Grants to Reduce Sexual Abuse of Runaway, Homeless, and Street Youth—reauthorizes funding for street-based outreach, education, treatment counseling and referral of runaway, homeless, and street youth who have been abused or are at risk of abuse; includes additional oversight mechanisms.

Subtitle K. Victims of Child Abuse Programs—reauthorizes funding for Court-appointed Special Advocates for victims of child abuse, for training programs on child abuse for judicial personnel and attorneys, for closed-circuit televising and video taping of child testimony to protect the child from the trauma of facing the abuser in court; includes additional oversight mechanisms.

TITLE II.—Limiting the Effects of Violence on Children

Subtitle A. Safe Havens for Children—grants to establish and operate supervised visitation centers to facilitate child visitation and visitation exchange.

Subtitle B.. Violence Against Women Prevention in Schools—grants to school systems to develop, modify and implement policies and programs in elementary, middle, and secondary schools which address domestic violence, sexual assault and stalking.

Subtitle C. Family Safety—amends the criminal component of the Parental Kidnaping Prevention Act (PKPA) to provide defenses in domestic violence and child sexual assault cases; amends the civil full faith and credit provisions of PKPA to include domestic violence, child sexual assault and stalking as factors in determining what state has jurisdiction of a custody case.

Subtitle D. Domestic Violence and Children—Sense of Congress calling for reforms of States laws on domestic violence and child custody.

Subtitle E. Child Welfare Workers Training on Domestic Violence and Sexual Assault—provides grants to enable child welfare service agencies to train staff and modify policies, procedures, and programs for the purpose of recognizing domestic violence and sexual assault as serious problems that threaten the safety and well-being of its child and adult victims.

Subtitle F. Child Abuse Accounability—permits private employee pension benefits to be assigned to satisfy a judgment against a person for physically, sexually or emotionally abusing a child.

TITLE III.—Sexual Assault Prevention

Subtitle A. Rape Prevention Education—establishes a National Resource Center on Sexual Assault; increases funds for rape prevention and education; helps States provide technical assistance, information dissemination and educational programs; allots money for the creation of tribal sexual assault coalitions.

Subtitle B. Standards of Practice and Training for Sexual Assault Examinations—directs the Attorney General and the Secretary of Health and Human Services to evaluate existing standards of training, practice and payment of forensic examinations and to recommend a national protocol.

Subtitle C. Violence Against Women Training for Health Professions—amends Title VII and Title VIII of the Public Health Services Act to give priority in funding to medical and training programs that require students to be trained in identifying, treating, and referring patents who are the victims of domestic violence or sexual assault.

Subtitle D. Prevention of Custodial Sexual Assault by Correctional Staff—directs the Attorney General to establish guidelines regarding the prevention of custodial sexual misconduct in prisons; prohibits individuals who have been convicted of or found civilly liable for sexual midconduct from becoming correctional staff; criminalizes sexual conduct between correctional staff and prisoners.

Subtitle E. Hate Crimes Prevention—amends federal hate crimes legislation to permit federal prosecution for bias crimes based on gender, sexual orientation, and disability; funds additional FBI and law enforcement personnel to assist State and local law enforcement.

Subtitle F. Rescheduling and Classification of Date-Rape Drugs—directs the Attorney General to amend the Controlled Substances Act by transferring flunitrazepam to schedule I and by adding Gamma y-hydroxybutyrate to schdule I and ketamine hydrochloride to schedule III.

Subtitle G. Access to Safety and Advocacy for Victims of Sexual Assault—makes grants available to enhance safety and justice for victims of sexual violence through access to the justice system and improved legal advocacy and representation.

TITLE IV.—Domestic Violence Prevention

Subtitle A. Domestic Violence and Sexual Assault Victims' Housing—amends the McKinney Homeless Assistance Act to make funding available for transitional housing services for domestic violence victims, including rental assistance for battered women seeking to establish permanent housing separate from their abuser.

Subtitle B. Full Faith and Credit for Protection Orders—clarifies VAWA's full faith and credit provisions to ensure meaningful enforcement by States and Tribes; provides grants to States and Tribes to improve enforcement and record keeping; reduces Byrne grants to law enforcement for failure to comply with the 1994 VAWA's full faith and credit provisions with significant safeguards to allow law enforcement to come into compliance before a penalty is assessed.

Subtitle C. Victims of Abuse Insurance Protection—prohibits discrimination in issuing and administering insurance policies to victims of domestic violence with uniform protection from insurance discrimination.

Subtitle D. National Summit on Sports and Violence—Sense of Congress that a national summit of sports, community, and media leaders with expertise in anti-violence advocacy and youth advocacy should be convened to develop a plan to deter acts of violence.

Subtitle E. Keeping Firearms from Intoxicated Persons—adds intoxication to the list of grounds for prohibiting sale of firearms.

Subtitle F. Access to Safety and Advocacy—issues grants to provide legal assistance, lay advocacy and referral services to victims of domestic violence who have inadequate access to sufficient financial resources for appropriate legal assistance; includes set-aside for tribes.

Subtitle G. Strengthening Enforcement to Reduce Violence Against Women—amends the Interstate Domestic Violence Statute to make it a crime to commit domestic violence or to violate a protection order in the course of travel in interstate commerce; criminalizes stalking in the course of travel in interstate commerce.

Subtitle H. Disclosure Protections—protects victims fleeing domestic violence from disclosure of their whereabouts through the federal child support locator service.

TITLE V.—Violence Against Women in the Military System

Subtitle A. Civilian Jurisdiction for Crimes of Sexual Assault and Domestice Violence—makes an employee or dependant of the military who commits an act while outside the United States that would be a punishable domestic violence or sexual assault offense if perpetrated within the United States subject to the same punishment as if it had been committed in the United States.

Subtitle B. Transitional Compensation and Health Care for Abused Dependents of Members of the Armed Forces—allows a resumption of transitional compensation benefits to an abused dependant who temporarily reconciles with the batterer.

Subtitle C. Confidentiality of Records—directs the Secretary of Defense to adopt regulations that provide confidentiality of communications between a military dependent who is a victim of sexual harassment, sexual assault or domestic violence and the victim's therapist, counselor, or advocate.

TITLE VI.—Preventing Violence Against Women in Underserved Communities

Subtitle A. Older Women's Protection from Violence—authorizes law school clinical programs on domestic violence against older women; authorizes training programs for law enforcement offices, social services and health providers on domestic violence against older women; authorizes community initiatives to combat domestic violence against older women; authorizes outreach programs targeted to older women who are victims of domestic violence.

Subtitle B. Protection Against Violence and Abuse for Women with Disabilities—ensures inclusion of women with disabilities in existing domestic violence and sexual assault programs; provides for judicial training on issues of violence against women with disabilities; authorizes training program for social service and health care providers; authorizes research and technical assistance to service providers.

Subtitle C. Battered Immigrant Women—Allows for adjustment of status for VAWA

self-petitioners; prevents changes in abuser's status from undermining victim's petitions; provides for numerous waivers and exceptions to inadmissibility for VAWA eligible applicants; improves access to VAWA for battered immigrant women whose spouse is a member of the armed forces, who are married to bigamists, and/or are the victims of elder abuse; allows for discretionary waivers for good moral character determinations; removes public charge for VAWA applicants; gives VAWA applicants access to work authorization; allows VAWA applicants access to food stamps, housing and legal services; trains judges, immigration officials, armed forces supervisors and police on VAWA immigration provisions.

Subtitle D. Conforming Amendments to the Violence Against Women Act—amends the definitions of underserved in the Family Violence Prevention and Services Act and the Omnibus Crime Control and Law Enforcement Act in order to create consistent use of the term.

TITLE VII.—Violence Against Women and the Workplace

Subtitle A. National Clearinghouse on Domestic Violence and Sexual Assault and the Workplace Grant—establishes a clearinghouse and resource center to give information and assistance to employers and labor organizations in their efforts to develop and implement responses to assist victims of domestic violence and sexual assault.

Subtitle B. Victims' Employment Rights—prohibits employers from taking adverse job actions against an employee because they are the victim of violent crime.

Subtitle C. Workplace Violence Against Women Prevention Tax Credit—provides tax credits to businesses implementing workplace safety programs to combat violence against women.

Subtitle D. Battered Women's Employment Protection—ensures eligibility for unemployment compensation to women separated from their jobs due to circumstances directly resulting from domestic violence; requires employers who already provide leave to employees to allow employees to use that leave for the purpose of dealing with domestic violence and its aftermath; allows women to use their family and medical leave or existing leave under State law or a private benefits program to deal with domestic abuse, including going to the doctor for domestic violence injuries, seeking legal remedies, including court appearances, seeking orders of protection or meeting with a lawyer; provides for training of personnel involved in assessing unemployment claims based on domestic violence.

Subtitle E. Education and Training Grants to Promote Responses to Violence Against Women—authorizes grants for developing, testing, presenting and disseminating model programs to provide education and training to individuals who are likely to come in contact with victims of domestic violence and sexual assault in the course of their employment, including campus personnel, justice system professionals (including guardians ad litem, probation, parole and others), mental health professionals, clergy, caseworkers, supervisors, administrators and administrative law judges who are involved in federal and state benefit programs.

Subtitle F. Workers' Compensation—Sense of Congress that worker's compensation benefits should be provided to women that have been injured in the workplace, including full compensation for physical and non-physical injuries, and that women who survive crimes such as rape, domestic violence and sexual assault at work should be able to pursue other legal actions, based on the employers role in the workplace violence.

TITLE VIII.—Violence Against Women Intervention, Prevention and Educational Research

Directs the Attorney General and the Secretary of Health and Human Services to establish a multi-agency task force to coordinate research on violence against women; provides grants to support research on causes of violence against women and the effectiveness of education, prevention and intervention programs; provides grants to address gaps in research on violence against women, particularly violence against women in underserved communities and instances where domestic violence is a factor in a divorce/child custody case; mandates a study and report by the U.S. Sentencing Commission on sentences given in crimes of domestic violence; issues grants to conduct research on the experiences of women and girls in the health care, judicial and social services systems who become pregnant as a result of sexual assault; authorizes a study and report on the uniformity of laws among States and their effectiveness in prosecuting rape and sexual assault offenses; directs the Secretary of Health and Human Services and the Attorney General to establish three research centers to develop and coordinate research on violence against women.

TRIBUTE TO FLORA WALKER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. LEVIN. Mr. Speaker, I rise to honor Ms. Flora Walker, Past President of Michigan's American Federation of State, County and Municipal Employees (AFSCME) Council 25 on the occasion of her retirement.

Flo Walker has served this organization as President with dedication and devotion for the past six years, and will be honored at a retirement tribute on January 29, 1999. While at the helm she has contributed to building a strong and united statewide Council, and forgoing a renewal of solidarity and unity of purpose.

Under Flo Walker's leadership, numerous programs and initiatives were developed which look toward the 21st century. These include streamlining and updating the Arbitration Department; overhauling the entire Council 25's legal operation; adding more Council servicing staff and new computer equipment, and developing a new Web page.

Flo Walker has led the Council in the purchase of an additional building in Flint, the Organizing Annex, and the former Chamber of Commerce Building in Detroit. The Detroit building includes an auditorium, and a radio/television studio.

And the list goes on with the expansion of Council 25's Education Department, offering seminars and workshops for its members, and instituting an annual charitable golf outing to benefit the Mental Health Association. Ms. Walker has also led efforts to increase voter awareness and participation in the electoral process.

Mr. Speaker, I ask my colleagues to join me in expressing our gratitude to Flora Walker for so much that has been accomplished under her presidency, and to wish her good health and happiness for the future.

INTRODUCTION OF LEGISLATION TO AMEND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). My bill would restrict the liability of local educational agencies in the clean-up of Superfund sites.

Mr. Speaker, this change makes sense given the fact that hundreds of school boards are affected. In New Jersey alone, 57 school districts have been affected by Superfund's liability reach and have been assessed for liability under Superfund. According to the National School Boards Association, over 200 school districts nationwide have been named as defendants in lawsuits related to Superfund cases.

Most often, school boards dispose of ordinary garbage—papers, pencils, or school lunches. These materials are hardly toxic or hazardous, and in all cases, the waste is disposed of legally. In one case in New Jersey, involving the Gloucester Environmental Management Services Landfill (GEMS), 53 school boards were assessed $15,000 each, not including additional money associated with legal costs. As a result of the tangled Superfund liability web, these precious dollars in a school's budget were diverted away from educating children and into the Superfund coffers.

Mr. Speaker, that is why I am introducing this legislation today, to exempt school boards from Superfund liability. I believe that my bill will help schools use their money the most effective way possible: in the classrooms.

INTRODUCTION OF THE RONALD V. DELLUMS FEDERAL BUILDING BILL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, today I am introducing legislation to name the Federal building in Oakland, CA after our distinguished former colleague Ronald V. Dellums.

Ron came to Congress in 1971 with a plan to change the system and improve the Nation. In many ways he accomplished just that. He saved us from many weapons systems that we did not need, could not afford, and probably could not control. And more than any other Member of Congress, he helped to clearly illustrate how an overfed military budget was literally starving our children, our schools, and our communities. He brought the titans of apartheid to their knees and dragged a reluctant American Government along the way. He fought for the civil rights of all Americans.

Ron Dellums was truly a unique Member of Congress. His passion was his fuel, but his

passion did not blind him. He was clear, incisive, instructional, and inspirational. He was a tireless champion for peace and justice. Ron Dellums will always be remembered as one of Congress' great orators, colorfully and articulately dancing in the well of the House to draw support for his positions.

Naming this Federal building in Oakland for Ron Dellums will serve as an opportunity to rededicate ourselves to the challenges that our colleague championed. If we learn to carry the convictions of a more just society with us to work every day as he did, perhaps we will be able to make America an even better place and the world a bit safer.

I would like to thank my colleague from California, JERRY LEWIS, for his coauthorship of this bill, and the 104 members who are original cosponsors. In addition, I extend my thanks to the members of the House who approved this bill in the 105th Congress. Unfortunately we were not able to secure passage of the bill before the end of the session. But I introduce this legislation again today with confidence that it will reach the President's desk for signature. Ron will finally be recognized with a fitting monument for his 27 years of service to this institution and to our country.

The people who will go in and out of this building with Ron's name on it can take pride in knowing that he cared about them, he fought for them, and he left a mark in Congress and in this country in their names.

HONORING MR. WILLIAM R. SNODGRASS, FOR HIS SERVICE AS THE COMPTROLLER OF THE TREASURY FOR THE STATE OF TENNESSEE

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. CLEMENT. Mr. Speaker, I rise today in honor of Mr. William R. Snodgrass, and his service to the State of Tennessee, as Comptroller of the Treasury.

Mr. Snodgrass will retire from the State of Tennessee after fifty-two years of faithful service, on January 22, 1999. Forty-four of the fifty-two years he served as the Comptroller of the Treasury, which is an unprecedented feat. He will be greatly missed.

Mr. Snodgrass, a native Tennessean from White County, Tennessee, was elected Comptroller of the Treasury by the Tennessee General Assembly in January 1955, and continually reelected each successive General Assembly through the 100th General Assembly, after which he announced his retirement.

William Snodgrass graduated from David Lipscomb College in 1942, and then left for service in the U.S. Military forces from 1943–1946. Upon returning from his tour of duty, he continued his education, and received a B.S. in Accounting from the University of Tennessee in 1947. He began his career as an appointed research assistant at the University of Tennessee the same year. In 1953, Mr. Snodgrass was appointed director of Budget and director of Local Finance for the State of Tennessee.

William Snodgrass began his service as Comptroller of the Treasury for the state of Tennessee under my father, Governor Frank G. Clement in 1955. His friendship to my family over the years has been invaluable. As a young man I admired William Snodgrass for his work ethic, his tremendous loyalty to friends and family, and his dedication to the State of Tennessee. Today, I continue to admire him for these same qualities.

Mr. Snodgrass has faithfully served the citizens of the State of Tennessee for the past fifty-two years. His achievements have not gone unnoticed, for William Snodgrass has been recognized by his peers as well, receiving the Outstanding Municipal Performance Audit Award from the Council on Municipal Performance in 1980; the Donald L. Scantlebury Memorial Award for Distinguished Leadership in Financial Management for Joint Financial Improvement Program in 1988, the Distinguished Leadership Award from the Association of Government Accountants in 1988; and the Award for Excellence in Governmental Auditor Training Seminars from Government Finance Officers Association in 1988.

William Snodgrass has served as an outstanding example of faithfulness to his peers, his family, and the citizens of Tennessee. I wish him the best in his retirement.

INTRODUCTION OF LEGISLATION

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce a bill to provide improved administrative procedures for the Federal recognition to certain Indian groups.

Mr. Speaker, I have been working on this issue now for over seven years. In 1994, the House passed similar legislation but that effort died in the Senate. Although this legislation was defeated in the House late last year, we are still faced with an expensive, unfair process through which Indian groups seeking federal recognition must go. I still wish to help address the historical wrongs that the two hundred unrecognized tribes in this nation have faced. This bill streamlines the existing procedures for extending federal recognition to Indian tribes, removes the tremendous bureaucratic maze and subjective standards the Bureau of Indian Affairs has placed against recognizing Indian tribes, but also provides due process, equity and fairness to the whole problem of Indian recognition.

Mr. Speaker, a broad coalition of unrecognized Indian tribes has advocated reform for years for several reasons. First, the BIA's budget limitations over the years have, in fact, created a certain bias against recognizing new Indian tribes. Second, the process has always been too expensive, costing some tribes well over $500,000, and most of these tribes just do not have this kind of money to spend. I need not remind my colleagues of the fact that Native American Indians today have the worst statistics in the nation when it comes to education, economic activity and social development. Indeed, Mr. Speaker, the recognition process for the First Americans has been an embarrassment to our government and certainly to the people of America. If only the American people can ever feel and realize the pain and suffering that the Native Americans have long endured, there would probably be another American revolution.

Mr. Speaker, the process to provide federal recognition to Native American tribes simply takes too long. The Bureau of Indian Affairs has been completing an average of 1.3 petitions per year. At this rate, it will take over 100 years to resolve questions on all tribes which have expressed an intent to be recognized.

Mr. Speaker, the current process does not provide petitioners with due process—for example, the opportunity to cross examine witnesses and on-the-record hearings. The same experts who conduct research on a petitioner's case are also the ''judge and jury'' in the process!

In 1996, in the case of *Greene v. Babbitt*, 943 F. Supp. 1278 (W. Dist. Wash), the federal court found that the current procedures for recognition were ''marred by both lengthy delays and a pattern of serious procedural due process violations. The decision to recognize the Samish took over twenty-five years, and the Department has twice disregarded the procedures mandated by the APA, the Constitution, and this Court,'' (p. 1288). Among other statements contained in Judge Thomas Zilly's opinion were: ''The Samish people's quest for federal recognition as an Indian tribe has a protracted and tortuous history . . . made more difficult by excessive delays and governmental misconduct.'' (p. 1281) And again at pp. 1288–1289, ''Under these limited circumstances, where the agency has repeatedly demonstrated a complete lack of regard for the substantive and procedural rights of the petitioning party, and the agency's decision maker has failed to maintain her role as an impartial and disinterested adjudicator . . .'' Sadly, the Samish's administrative and legal conflict—much of which was at public expense—could have been avoided were it not for a clerical error of the Bureau of Indian Affairs which 29 years ago, inadvertently left the Samish Tribe's name off the list of recognized tribes in Washington.

With a record like this, it is little wonder that many tribes have lost faith in the Government's recent recognition procedures. President Clinton has acknowledged the problem. In a 1996 letter to the Chinook Tribe of Washington, the President wrote, ''I agree that the current federal acknowledgment process must be improved.'' He said that some progress has been made, ''but much more must be done.''

To those who say we should retain the current criteria, and not permit tribes which have been rejected under the current administrative procedure to apply for reconsideration, I say read the Greene case. It is rare that a court is so critical of an executive agency, but in this case there clearly is a problem. This bill addresses the problem directly.

Mr. Speaker, the legislation I am introducing today will eliminate the above concerns by establishing an independent three member commission which will work within the Department of the Interior to review petitions for recognition. This legislation will provide tribes with the opportunity for public, trial-type hearings and sets strict time limits for action on pending petitions. In addition, the bill streamlines and makes more objective the federal recognition criteria by aligning them with the legal standards in place prior to 1978, as laid out by the father of Indian Law, Felix S. Cohen in 1942.

Some have expressed concern that this bill will open the door for more tribes to conduct gambling operations on new reservations. While I cannot say that no new gambling operations will result from this bill, I do believe that

this bill will have only a minimal impact in this area. I would like to remind my colleagues that: unlike state-sponsored gaming operations, Indian gaming is highly regulated by the Indian Gaming Regulatory Act; before gaming can be conducted, the tribes must reach an agreement with the state in which the gaming would be conducted; under IGRA (the Indian Gaming and Regulatory Act) gaming can only be conducted on land held in trust by the federal government; and any gaming profits can only be used for tribal development, such as water and sewer systems, schools, and housing.

The point I want to make is even if an Indian group wanted to obtain recognition to start a gambling operation, they couldn't do it just for that purpose. Ninety percent of the substance of the current criteria are unchanged in the bill before us today. For a group to obtain federal recognition, it would still have to prove its origins, cultural heritage, existence of governmental structure, and everything else currently required.

Should that burden be overcome, a tribe would need a reservation or land held in trust by the federal government. This bill makes no effort to provide land to any group being recognized.

If the land issue is overcome, under the Indian Gaming Regulatory Act, a tribe cannot conduct gaming operations unless it has an agreement to do so with the state government. A prior Congress put this into the law in an effort to balance the rights of the states to control gambling activity within its borders, and the rights of sovereign tribal nations to conduct activities on their land. The difficulty in obtaining gaming compacts with states made the national news for months last year because of the almost absolute veto power the states have under current law. The U.S. Supreme Court affirmed this reading of the law in *Seminole Tribe of Florida v. Florida,* 517 U.S. 44 (1996).

I want to emphasize this point—this is not a gambling bill, this is a bill to create a fair, objective process by which Indian groups can be evaluated for possible federal recognition.

Mr. Speaker, this bill is not perfect in every form, but it is the result of many hours of consultations. I have sought to work with the tribes and with the Administration to come up with sound, careful changes that recognize the historical struggles the unrecognized tribes have gone through, yet at the same time recognizes the hard work the Bureau of Indian Affairs has done lately in making positive changes through regulations to address these problems. We have reached agreement on almost every major issue, and these changes have been incorporated into this bill.

In conclusion, Mr. Speaker, I hope we can take final action on the issue of Indian recognition before this century ends and start the next century by addressing at least some of the wrongs of the past two centuries.

BANNING UNSECURED LOANS IN FEDERAL CAMPAIGNS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mrs. MINK of Hawaii. Mr. Speaker, we must restore accountability to our elections. One way we can do this is to close a loophole where candidates may obtain unlimited, unsecured loans from banks to finance their campaigns. Banks are able to bankroll their chosen candidates by obtaining a mere signature on a loan form without obtaining security for repayment, as is customary in their normal course of business. In effect, candidates favored by a bank and its officers are given an unfair advantage.

The legislation I have introduced today puts an end to that. Under this legislation, banks will no longer be able to circumvent the current prohibition against making direct contributions to candidates.

Specifically, this legislation: prohibits all federal candidates from receiving an unsecured loan; requires repayment of any existing unsecured loan within 90 days of this bill's enactment; and prohibits candidates who have such unsecured loans from accepting personal funds from a board member or officer of the bank holding the loan.

I urge my colleagues to join me in closing this loophole. Lets not allow banks to bankroll any election.This ability of banks, using depositors' money to advance moneys to a chosen candidate is wrong and invites corruption. I urge my colleagues to co-sponsor my legislation that outlaws this practice.

INTRODUCTION OF LEGISLATION TO AMEND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). My bill would remove the authority for contracting oversight from the purview of the Environmental Protection Agency and place it solely under the jurisdiction of the Army Corps of Engineers.

Mr. Speaker, this change makes sense given the expertise of each agency. The Army Corps of Engineers is far better suited to handle contracting work and oversight of construction at a Superfund site than the more technical, environmental orientation of the EPA.

The reason why I am introducing this legislation today is in direct response to an incident that happened in my district during an already lengthy and tumultuous cleanup. Hopefully, passage of this legislation will prevent future situations, such as the one I am about to describe, from happening again.

The asbestos dump site in Millington, NJ is comprised of two residential farms and part of the Great Swamp National Wildlife Reserve. It contains large amounts of asbestos that was dumped on the property. On one of these two residential sites, the homeowners (a family of five), were involved in a lengthy clean-up with the EPA and had been relocated several times, for months at a time. The EPA had contracted out for the construction of the design. The EPA's contractor then hired a subcontractor, with a less than perfect track history, to complete construction of the design.

The EPA subcontractors, instead of bringing in clean fill to top the asbestos on the family's property, brought in contaminated soil from another site. This horrendous mistake has added additional years to the cleanup.

Mr. Speaker, again, I believe that the Army Corps is far better equipped to handle the details of the physical cleanup and to oversee the contracting work of these Superfund sites. This mistake in Millington added not only time and money, but additional grief for a family who wanted nothing less than to raise their children in the home of their dreams. I believe that my bill would prevent more situations like this and improve the efficiency of site cleanups.

MILOSEVIC DEFIES INTERNATIONAL COMMUNITY ON KOSOVO

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. GILMAN. Mr. Speaker, this past weekend we once again heard of despicable, unspeakable crimes committed by Serbian police against unarmed men, women, and children. More than 40 ethnic Albanians were murdered in cold blood in the village of Racak in southern Kosovo. Now, in further defiance, Milosevic has ordered Ambassador William Walker, the American diplomat who heads the OSCE's Kosovo Verification Mission (KVM) to leave Serbia.

Milosevic's actions represent a complete rupture of the agreement he reached with Ambassador Richard Holbrooke, an agreement that led to the withdrawal of a NATO threat to bomb Serbia. Unless the international community responds to these acts, our word and our credibility will be deemed to be utterly worthless, and Milosevic will believe he can commit further atrocities with impunity.

I returned yesterday with a senior Congressional delegation that I led to meet with our friends and allies in Europe. We were briefed by General Wes Clark, the Supreme Allied Commander for Europe, who told us that Milosevic will never respond to anything other than the credible threat of force. General Clark is at present in Belgrade awaiting a meeting to deliver a strong message to Milosevic.

If Milosevic does not immediately fully comply with the agreement he made with Ambassador Holbrooke, the international community must respond swiftly and forcefully. We must not allow the situation in Kosovo to continue to deteriorate, nor allow the humanitarian situation there to return to the point of disaster that we experienced last summer.

INDIA REPUBLIC DAY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. PALLONE. Mr. Speaker, I rise today to pay tribute to one of the most important dates on the calendar for the people of India, as well as for the people of Indian descent who have

settled in the U.S. and around the world. January 26 is Republic Day, an occasion that inspires pride and patriotism for the people of India.

On January 26, 1950, India became a republic devoted to the principles of democracy and secularism. At that time, Dr. Rajendra Prasad was elected as the nation's first president. Since then, despite the challenges of sustaining economic development while reconciling her many ethnic, religious and linguistic communities, India has stuck to the path of free and fair elections, a multi-party political system and the orderly transfer of power from one government to its successor.

Mr. Speaker, India's population of nearly a billion people represents approximately one-sixth of the human race. The people of India have lived under a democratic form of government for more than half a century. In 1997, worldwide attention was focused on India as she celebrated the 50th anniversary of her independence. But, many Americans remain largely unfamiliar with the anniversary that Indians celebrate today. Yet, Mr. Speaker, it should be noted that there is a rich tradition of shared values between the United States and India. India derived key aspects of her Constitution, particularly its statement of Fundamental Rights, from our own Bill of Rights. India and the United States both proclaimed their independence from British colonial rule. The Indian independence movement under the leadership of Mahatma Gandhi had strong moral support from American intellectuals, political leaders and journalists. Just yesterday, we paid tribute to one of our greatest American leaders, Martin Luther King, Jr. Dr. King derived many of his ideas of non-violent resistance to injustice from the teachings and the actions of Mahatma Gandhi. Last year, Mr. Speaker, I am proud that legislation was approved by Congress and signed by the President authorizing the Government of India to establish a memorial to honor Mahatma Gandhi here in Washington, D.C., near the Indian Embassy on Embassy Row. The proposed statue will no doubt be a most fitting addition to the landscape of our nation's capital.

Mr. Speaker, there is a growing need for India and the United States, the two largest democracies of the world, to come closer and work together on a wide variety of initiatives. India and the U.S. do not always agree on every issue, as we saw in 1998. But I regret that the scant coverage that India receives in our media, and even from our top policy makers, tends to focus only on the disagreements. In fact, our national interests coincide on many of the most important concerns, such as fighting the scourge of international terrorism and controlling the transfer of nuclear and other weapons technology to unstable regimes. Given India's size and long-term record of democratic stability, I believe that India should be made a permanent member of the United Nations Security Council—a goal that I hope the United States will come to support. India's vast middle class represents a significant and growing market for U.S. trade, while the country's infrastructure needs represent a tremendous opportunity for many American firms, large, small and mid-size. U.S. sanctions imposed on India last year have subsequently been relaxed, and I believe we should continue to work to preserve or re-start economic relations that have developed during this decade of major change, while creating a positive atmosphere for new economic relations. At the same time, I hope that we can continue to build upon educational, cultural and other people to people ties that have developed between our two countries. I look forward to seeing the Indian-American community, more than one million strong, continue to serve as a human ''bridge'' between our two countries.

In closing, Mr. Speaker, let me again congratulate the people of India on the occasion of Republic Day. I hope that 1999 will witness a U.S.-India relationship that lives up to the great potential offered by our shared commitment to democracy.

MOVE RADIOACTIVE WASTES FROM COLORADO RIVER

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, ten and a half million tons of toxic wastes generated by the now-defunct Atlas Mine are stored in a tailings pond located immediately adjacent to the Colorado River near Moab, Utah. These tailings are radioactive and contain high concentrations of ammonia, arsenic, lead, vanadium, selenium, mercury, molybdenum, nickel, and other toxic metals left by the leaching process used to separate uranium from ore.

The tailings pond, built in the 1950's, is not lined, and as a result, these radioactive and toxic wastes are seeping down through the aquifer into the Colorado River. Water from the Colorado River makes up a significant part of the drinking water supply for Los Angeles, San Diego, Las Vegas, Phoenix and Tucson, and is used additionally to irrigate hundreds of thousands of acres of agricultural lands. Moreover, the tailings pond, which has been designated as critical habitat for four endangered species, is situated between Canyonlands and Arches National Parks.

Leaving a huge, leaking tailings pile adjacent to the Colorado River does not make sense. In the event of flood, the Colorado River could easily be contaminated. Lacking regulatory and financial alternatives, the Nuclear Regulatory Commission (NRC) is ready to approve the Atlas Corporation's inadequate plan to reclaim the site by simply placing a dirt cap over the top of the pile rather than by requiring removal to a safer location. This plan will not stop contamination of the Colorado River, which is expected to continue for hundreds of years.

Moving the tailings will remove the source of the contamination. By placing the tailings in a more modern and technologically safe situation, the threats from earthquakes, high water, flooding will be eliminated. In every similar case under the jurisdiction of the Department of Energy, uranium tailings have been moved away from riverbeds to lined and protected areas. Sadly, the NRC has seems determined to perpetuate rather than resolve this dangerous situation in the case of the Atlas site.

The National Park Service, the Environmental Protection Agency, the Fish and Wildlife Service, and many state and local government agencies have all expressed concerns about the quality of scientific data and information upon which NRC decisions have been based.

Today, Reps. FILNER, PELOSI, GUTIERREZ, and I am introducing legislation to require the Department of Energy to move the tailings to a safe location. Once this has been accomplished, the Attorney General would be charged with ascertaining the extent of the Atlas Corporation liability, and its parent companies, to secure reimbursement as appropriate.

A WORD OF PRAISE AND THANKS TO CAROLE KING, DAVID BALL, AND MARY CHAPIN CARPENTER

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. MURTHA. Mr. Speaker, during Christmas week I went with Senator Daniel K. Inouye and Secretary of Defense Bill Cohen to the Middle East to congratulate our troops on the great work they've done in the region and to let them know America was remembering their efforts during the Holidays when so many had to be away from their families.

We found wonderful morale among the troops and a strong commitment to continuing to meet U.S. goals in the region.

I also want to praise three entertainers who gave up part of their Holidays to join us. As we visited in Saudi Arabia and Kuwait, and abroad the USS Enterprise, the troops were entertained by Mary Chapin Carpenter, Carole King, and David Ball. The troops thoroughly enjoyed meeting the entertainers and listening to their music. Several soldiers commented on how much the show brightened their holidays noting it was the highlight of the last 4½ months.

These three patriotic Americans gave up part of their Christmas Week to deliver a message of support and concern to our troops. They clearly showed their support for our Nation, our troops, and our spirit of uniting as Americans.

We left on a Sunday, returned on Christmas Eve, and were greeted by an ice storm that made travel difficult. Carole King traveled from Washington back to Idaho by air, then drove three hours to her home; David Ball missed his flight home, drove to Baltimore, and finally got to Nashville the next morning; Mary Chapin Carpenter lives in the Washington area, but it's the second straight Christmas she's visited troops, last year in Italy, Macedonia, and Bosnia.

It's a pleasure for me to recognize the commitment and caring of these three fine Americans, and to restate the thanks of our troops and our Nation for their patriotism.

TRIBUTE TO KRISTINA KIEHL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Ms. NORTON. Mr. Speaker, I rise today to join many Americans across the country who would want to honor Kristina Kiehl, a founder and co-chair of Voters for Choice. Later this week, we will celebrate the 26th anniversary of the historic Supreme Court decision, *Roe* v.

Wade. Kristina Kiehl, a Californian, will celebrate her 50th birthday on Saturday, January 23. Kristina has spent most of those 50 years working to ensure reproductive choice, equality and human rights for all Americans, regardless of race, sex, ethnic background, sexual orientation or, other characteristics irrelevant to merit.

As a founder of Voters for Choice, a national bi-partisan organization dedicated to protecting and expanding reproductive choice for women, Kristina has been a pioneer in protecting the reproductive rights and health of women. With her leadership, Voters for Choice has helped to develop leaders across our country on choice issues; to educate Americans about reproductive issues; and to train advocates for this important work. For 18 years, Voters for Choice has been a superbly effective organization that has led the fight for many women's health issues, in no small part because of Kristina's commitment, dedication, energy and leadership.

Mr. Speaker, I am especially pleased and very proud to honor and recognize the accomplishments of Kristina Kiehl, a national leader who has dedicated her life to improving the health and protecting the reproductive rights of Americans. I urge my colleagues in this House to join me in saluting Kristina Kiehl.

COLLECTIONS OF INFORMATION ANTIPIRACY ACT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. COBLE. Mr. Speaker, today I am proud to introduce the ''Collections of Information Antipiracy Act,'' a bill to encourage continued investment in the production and distribution of valuable new collections of information.

Electronic collections, and other collections of factual material, are absolutely indispensable to the American economy on the verge of the new century. These information products put a wealth of data at the fingertips of business people, professionals, scientists, scholars, and consumers, and enable them to retrieve from this haystack of information the specific factual needle that they need to solve a particular economic, research, or educational problem. Whether they focus on financial, scientific, legal, medical, bibliographic, news, or other information, collections of information are essential tools for improving productivity, advancing education and training, and creating a more informed citizenry. They are also the linchpins of a dynamic commercial information industry in the United States.

Developing, compiling, distributing, and maintaining commercially significant collections requires substantial investments of time, personnel, and money. Information companies must dedicate massive resources when gathering and verifying factual material, presenting it in a user-friendly way, and keeping it current for and useful to customers. U.S. firms have been the world leaders in this field. They have brought to market a wide range of valuable collections of information that meet the information needs of businesses, professionals, researchers, and consumers worldwide. But several recent legal and technological developments threaten to cast a pall over this progress, by eroding the incentives for the continued investment needed to maintain and build upon the U.S. lead in world markets for electronic information resources.

Producers are also concerned that several recent cases may also cast doubt on the ability of a proprietor to use contractual provisions to protect itself against unfair competition from such ''free riders.'' In cyberspace, technological developments represent a threat as well as an opportunity for collections of information, just as for other kinds of works. Copying factual material from another's proprietary collection, and rearranging it to form a competing information production—just the kind of behaviors that copyright protection may not effectively prevent—is cheaper and easier than ever through digital technology that is now in widespread use. More and more we are seeing actual instances where American companies fall victim to such piracy, or where they refrain from placing complete collections into the public discourse, for fear of piracy.

When all these factors are added together, the bottom line is clear: it is time to consider new federal legislation to protect developers who place their materials in interstate commerce against piracy and unfair competition, and thus encourage continued investment in the production and distribution of valuable commercial collections of information.

While copyright, on the federal level, and state contract law underlying licensing agreements remain essential tools for protecting the enormous investment in collections of information, there are gaps in the protection that can best be filled by a new federal statute which will complement copyright law. The ''Collections of Information Antipiracy Act'' would prohibit the misappropriation of valuable commercial collections of information by unscrupulous competitors who grab data collected by others, repackage it, and market a product that threatens competitive injury to the original collection. This new federal protection is modeled in part on the Lanham Act, which already makes similar kinds of unfair competition a civil wrong under federal law. Importantly, this bill maintains existing protections for collections of information afforded by copyright and contract rights. It is intended to supplement these legal rights, not replace them.

Throughout the last session of Congress, we worked countless hours trying to fashion a bill that would be acceptable to all interested parties. Some would like to see stronger protections, while others advocate no legislation at all. I promise once again to listen to every constructive suggestion, and use every effort to craft a solution which bridges the producer and user communities. But I am committed to seeing this valuable legislation become law.

While this bill is almost identical to the legislation which passed the House of Representatives last Congress, I have made changes to clarify and embody fair use, and to address the issue of perpetual protection. These two changes address key concerns voiced by the nonprofit scientific, educational, and research communities during our consideration last term.

During the last Congress, we were able to pass the legislation through the House of Representatives not once, but twice. I look forward to working with Senator ORRIN HATCH and Senator PATRICK LEAHY, who have indicated this necessary legislation will be a priority for them this legislative session. I also welcome the input of Representative HOWARD BERMAN, the new Ranking Member of the Subcommittee, as this legislation moves forward.

The Collections of Information Antipiracy Act is a balanced proposal. It is aimed at actual or threatened competitive injury from misappropriation of collections of information or their contents, not at uses which do not affect marketability or competitiveness. The goal is to stimulate the creation of even more collections, and to encourage even more competition among them. The bill avoids conferring any monopoly on facts, or taking any other steps that might be inconsistent with these goals.

This legislation provides the basis for legislative activity on an important and complex subject. I look forward to hearing the suggestions and reactions of interested parties, and of my colleagues.

THE RETURN OF THE ''LINCOLN BANNER'' TO NORWICH, CONNECTICUT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. GEJDENSON. Mr. Speaker, I rise to commemorate a momentous event in the history of Norwich, Connecticut. On January 22, 1999, the fully-restored ''Lincoln Banner'' will be unveiled. The story surrounding the discovery and restoration of this 138 year old artifact is a testament to the spirit of volunteerism and pride in our history which have long distinguished Americans.

The ''Lincoln Banner'' is so named because it depicts Abraham Lincoln, without his beard, at approximately age 51 on a 6 by 8 foot silk banner. A portrait of Lincoln graces the center of the banner and is surrounded by the following inscription—''In hoc signo Vincemus. Ubi Libertas, Ibi Patria''—which roughly translates to ''In this sign we are victorious. One for liberty under the fatherland.'' ''Norwich'' is inscribed in capital letters across the bottom.

The origins and exact use of the banner are known conclusively only to history herself. However, most in Norwich believe it was produced for Lincoln's presidential campaign and displayed during his visit to the community on March 9, 1860. Mr. Lincoln did not come to Norwich seeking support for his election. Instead, he came to help a fellow Republican—Governor William Buckingham—who was seeking reelection. Local historians believe the banner hung outside the Wauregan Hotel where Lincoln stayed.

Following Mr. Lincoln's visit, the banner essentially vanished for more than 135 years. Then, in 1997, officials in Norwich received a telephone call from an auction house in my state indicating that it had recently been contacted by an individual who wished to sell the banner. A spontaneous, grassroots effort, initiated by John Marasco, a city employee, who went on local radio station WICH with personality Johnny London to urge listeners to contribute, raised nearly $41,000 from residents, businesses and others in the community. As a result of this tremendous amount of support, the City was able to purchase the banner and bring it back to its rightful home.

After nearly 140 years, the banner was in poor condition. It was torn and tattered and in need of restoration. With more assistance from the community and significant support from the City of Norwich, a group formed to preserve the banner—the Norwich-Lincoln Homecoming Committee—was able to send it to be expertly restored by the Textile Conservation Center at the American Textile Museum in Lowell, Massachusetts. On January 22, the banner will be returned permanently to Norwich. It will become the centerpiece of an exhibit at the Slater Museum entitled ''Norwich, Lincoln and the Civil War.'' After the exhibit closes, the banner will be displayed in City Hall for all to see.

Mr. Speaker, the return of the ''Lincoln Banner'' to Norwich brings the community full circle and closes an important loop in its history. The effort to purchase and preserve the banner demonstrates that pride in the community and our heritage is alive and well in American today. I believe President Lincoln would be proud of, and probably more than a little humbled by, the community's efforts to preserve an important part of the past. I know I speak for the entire community when I say ''Welcome Back, Mr. President.''

INTRODUCTION OF LEGISLATION

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mrs. MINK of Hawaii. Mr. Speaker, today I am introducing the Plant Genetic Conservation Appropriations Act of 2000 that provides $1.5 million for a genetic plant conservation project that collects and preserves genetic material from our Nation's endangered plants.

While the Fish and Wildlife Service continues to make strides in battling the war against further extinction of endangered species, we must do more. As of 1997 when I originally introduced this legislation, there were 513 plants listed as Endangered and 101 as threatened under the Endangered Species Act. Today, there are 567 plants listed as endangered and 135 as threatened. The need to supplement the Fish and Wildlife Services work is critical.

I believe a crucial part of the solution to save our endangered species is the genetic plant conservation project, which can help save and catalog genetic material for later propagation. As genetic technology develops, we will have saved the essential materials necessary to restore plant populations.

The Plant Genetic Conservation Appropriations Act of 2000 requests $1.5 million for activities such as rare plant monitoring and sampling, seed bank upgrade and curation, propagation of endangered plant collections, expanded greenhouse capacity, nursery construction, cryogenic storage research, and in-vitro storage expansion.

In my home state of Hawaii, the endangered plant population sadly comprises 46 percent of the total U.S. plants listed as endangered. And our endangered plant list continues to grow. We cannot afford to wait any longer. By allocating the resources and allowing scientists to collect the genetic samples now, we can ensure our endangered plants will survive.

I strongly urge my colleagues to support the Plant Genetic Conservation Appropriations Act 2000. This necessary bill can lead us to preserving plants that many of our ecosystems cannot afford to lose.

TRIBUTE TO THE NEW HAVEN LIONS CLUB

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. BONIOR. Mr. Speaker, I am honored to have the opportunity to recognize the achievements of a very special organization. I ask my colleagues to join me in saluting the Lions Club of New Haven, Michigan as they celebrate their 50th Anniversary on January 23, 1999.

In 1948, the New Haven Lions Club was organized by the Richmond Lions Club and chartered with thirty-three members. Though their membership has grown and changed, their goal has remained the same: to dedicate their talents to people in need. During the 1996–97 year they assisted other local clubs in building a fully handicapped accessible cottage at the Bear Lake Lions Visually Impaired Youth Camp. In 1983, the club organized the New Haven Goodfellows. Each year during the holidays, they assist many families by providing food and toys for the children. The club is dedicated to community service through their membership.

During the last fifty year, members of the Lions Club have contributed their time and resources to the betterment of their community. Among their many contributions include building the Lenox Library, purchasing eye exams and glasses for area residents, sponsoring the Lioness Club, and funding scholarships for New Haven High School graduates. The members have also been strong supporters of Boy Scouts, the Juvenile Diabetes Foundation, and Leader Dogs for the Blind. The club has loaned out wheel chairs, walkers, crutches, canes and hospital beds. I would like to thank all of the members, past and present, who have donated their various talents to improve the quality of life in the New Haven community.

The self sacrificing qualities of the Lions Club members are what makes our communities successful. I ask my colleagues to join me in wishing the Lions Club of New Haven a Joyful 50th Anniversary. Their legacy of public service is sure to last well beyond another fifty years.

OVERDUE FOR OVERALL—THE MINING LAW OF 1872

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, later this year, on May 10, the General Mining Law will be 127 years old—yet, it remains on the books without change in regard to gold, silver and other ''hard rock'' minerals. Lack of Congressional action to reform this archaic law is indefensible—albeit a testament to the strength of the mining industry's influence on certain key Members who have consistently blocked any attempt to amend or replace the law during the past two Congresses. Written to encourage settlement of the West during the last century, the Mining Law of 1872 provides an automatic legal right to our Nation's hard rock mineral wealth to those interested in developing it. The law is long overdue for a major overhaul to save taxpayers and the environment from further losses.

This antiquated relic allows mining operators nearly unlimited access to our Nation's hard rock minerals, no matter what other values (such as fish and wildlife habitat) may also be present. The law lets mining companies extract the minerals without paying a royalty or other production fee to the Federal Government. Finally, the lucky prospector who discovers gold or another hard rock mineral has the right to ''patent'' (purchase) the land and the minerals without paying fair market value.

Since Ulysses S. Grant signed the law in 1872, American taxpayers have lost about 3.2 million acres of public land containing more than $231 billion in gold, silver and valuable minerals without benefit of royalties or other fees. This is corporate welfare that subsidizes both foreign and domestic mining companies and should be stopped.

Under the 1872 mining law, the U.S. cannot collect a royalty or fee on the production value of hard rock minerals extracted from public lands. This differs from Federal policy toward coal, oil and gas industries operating on public lands, the laws and regulations of state governments, and leasing arrangements in the private sector. The U.S. collects a 12.5 percent royalty on coal, oil and gas (and an even higher royalty is collected from offshore petroleum development). The Federal Government collects production royalties on ''leasable minerals'' such as phosphate, potassium, sodium and sulphur. We also require a royalty on all minerals extracted from ''acquired lands,'' which are lands that the federal government has purchased, condemned or received as a gift.

All western States collect a royalty or production fee from minerals removed from State lands, collecting between 2 percent and 10 percent on the gross income from mineral production. Besides a royalty, 10 western States also collect a severance tax on certain minerals extracted from any land in the States, whether it is Federal, State or privately-owned. On private lands, royalties are usually similar to those imposed on federal and state lands and are usually set at 2 percent to 8 percent of gross income.

As Stuart Udall, former Secretary of the Interior, has noted, hard rock mining has made many men wealthy, built great corporations and caused cities to spring up in the wilderness. But this prosperity has come with a price. Over the past century, irresponsible and unwise mining operators have devastated over half a million acres of land—by acting without thought for the future or by simply walking away from played-out mines. According to the U.S. Environmental Protection Agency (EPA), mine wastes have polluted more than 12,000 miles of our Nation's waterways and 180,000 acres of lakes and reservoirs. Abandoned mines threaten public safety and health while creating long-lasting environmental hazards. Toxic mine wastes endanger people, destroy aquatic habitat, and contaminate vital ground water resources. The Mineral Policy Center

estimates that clean-up will cost between $32 billion and $72 billion.

The only mining law reform bill Congress has sent to the President in recent years was part of the fiscal year 1995 budget reconciliation bill that President Clinton properly vetoed in December 1995, for reasons well beyond the scope of the 1872 mining law. That reform proposal, which all of the longtime mining reform advocates opposed, would have reserved a 5 percent ''net proceeds'' royalty on future mining operations on public lands. But, it also provided so many exorbitant and absurd loopholes that most mines could have avoided paying the royalty. Therefore, the Congressional Budget Office (CBO) scored the royalty at just $12 million over seven years as compared to nearly $420 million attributed to the royalty provision passed on a 3–1 margin by the House in 1993.

Today, I am introducing three bills, in addition to Rep. Nick Rahall's (D–WVA) comprehensive bill to reform the Mining Law of 1872. These three bills, identical to ones that former Senator Dale Bumpers (D–AR) and I introduced in the 105th Congress would:

(1) Impose a 5 percent net smelter return royalty on all hard rock minerals mined from public lands, eliminate patents, and permanently extend the rental fee,

(2) Impose a sliding scale net proceeds reclamation fee on all hard rock minerals mined from lands that have been removed from the public domain under the 1872 Mining Law, and

(3) Close the depletion allowance loophole on all lands subject to the 1872 Mining Law. Reservation of a royalty would mean that Americans would receive a fair return on the extraction of hard rock minerals from public lands.

Imposition of a reclamation fee on lands removed from the public domain under the 1872 law would give the public a fair return on the value of hard rock minerals mined from those lands. All these revenues would be used to clean up the environment disaster we inherited from past mining operators.

The majority refused to even hold hearings on these bills during the last Congress, instead focusing on crushing Clinton administration policies that would have made miners accountable for their actions and decreased the level of environmental destruction that accompanies mining activities. I therefore call on Chairman Young to allow these bills a fair and open hearing this year.

Now is the time to act. The Federal royalty base is already small and is rapidly diminishing as mining operations go to patent. The GAO believes that nearly $65 billion worth of gold, silver, copper, and certain other hard rock minerals still exist in economically recoverable reserves on western Federal lands. But, the longer Congress delays, the smaller the royalty base will become as ever more mining conglomerates push through the patent process.

Mining reform is long overdue. The effort to update the 1872 law has enjoyed vigorous, bipartisan support in the House of Representatives for many years. Public opinion—even in Western states with large mining activities—is strongly in favor of mining reform that includes a royalty that raises substantial revenues to be used for abandoned mine clean-up. Four out of five Americans support mining reform, according to a 1994 nationwide bipartisan survey. In 1994, the House and Senate came close during a Conference to crafting an acceptable agreement only to be derailed by the threat of a filibuster during the last days of the session. The mining industry and a few Senators have repeatedly blocked reform from enactment during the last decade.

The 106th Congress should impose a reasonable net smelter royalty on hard rock minerals extracted from public lands, dedicating the revenues to cleaning up abandoned mine sites, permanently extend the $100 rental fee, and close the depletion allowance loophole.

TRIBUTE TO ANTHONY S. GOVERNALE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to Anthony S. Governale, one of San Mateo County's most dedicated public servants. Tony passed away on December 29, 1998, leaving behind a legacy of community service that made a significant difference in the lives of innumerable Bay Area residents. He will be sorely missed by all of us who knew him and all of us who benefited from his lifetime of public service.

Many people talk about the frustration of politics and about the inability of a single individual to effect change through government. Tony Governale's life stands as a strong rebuttal to these skeptics. Tony did not merely talk about building a more vibrant America for his children and grandchildren—he volunteered his time and his considerable energy and his insight on behalf of political candidates who shared his progressive beliefs. He masterminded a number of important campaigns, and he served for some time as the president of the San Mateo County Democratic Council.

When his reputation as a community leader provided him with the opportunity to assist his beloved City of San Bruno in an official capacity, he seized that challenge. Tony served as a member of the City Council for eight years, and for two years of that time he served as mayor. He was a key figure in guiding San Bruno through a decade of growth and progress. His commitment to performing his public responsibilities, as well as his tireless efforts to reach out and involve the entire community in the decisions of its government, made him one of San Mateo County's most beloved citizens.

Tony's public service was by no means confined to politics and government. As the longtime executive director of the Daly City-Colma Chamber of Commerce, he used his organizational skills and persuasive talents to foster the development of one of California's most dynamic business areas. He was instrumental in the establishment of the San Mateo County Health Center Foundation, which raises funds to improve the lives of patients at the San Mateo County General Hospital. He served on the governing board of the Shelter Network of San Mateo County, on the Board of Directors of the San Mateo County Fair, and as an active participant in many other civic organizations throughout the Bay Area.

Mr. Speaker, I invite my colleagues to join me in acknowledging the extraordinary life and accomplishments of Tony Governale and in extending condolences to his wife, Helen, and his fine family. It is my hope that Tony's family can take comfort in the realization that his important contributions to our community are an outstanding and a fitting memorial to him for generations to come.

INTRODUCTION OF THE FEDERAL FINANCIAL MANAGEMENT IMPROVEMENT ACT OF 1999

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. PORTMAN. Mr. Speaker, I rise to day with my colleague, Mr. HOYER, to introduce the Federal Financial Assistance Management Improvement Act of 1999. Mr. Speaker, this bill is identical to legislation sponsored by Senator Glenn and THOMPSON that passed the Senate in the unanimous consent in the waning hours of last Session.

Mr. Speaker, I often hear from state and local governments and constituents involved in non-profit organizations who, in an attempt to gain assistance for many worthy programs, are frustrated by the miles of red tape, regulations and duplicative procedures they encounter. Applying for the grant is not the only problem. The administrative and reporting requirements attached to certain grants often makes these entities question the cost effectiveness of entering the program in the first place.

To address this concern we have introduced this short and straight forward legislation. It requires relevant Federal agencies, with oversight from OMB, to develop plans within 18 months that do the following: streamline application, administrative, and reporting requirements; develop a uniform application (or set of applications) for related programs; develop and expand the use of electronic applications and reporting via the Internet; demonstrate interagency coordination in simplifying requirements for cross-cutting programs; and set annual goals to further the purposes of the Act. Agencies would consult with outside parties in the development of the plans. Plans and follow-up annual reports would be submitted to Congress and the Director and could be included as part of other management reports required under law.

In addition to overseeing and coordinating agency activities, OMB would be responsible for developing common rules that cut across program and agency lines by creating a release form that allows grant information to be shared by programs. The bill sunsets in five years and The National Academy for Public Administrators (NAPA) would submit an evaluation just prior to its sunsetting.

The bill builds on past efforts to improve program performance through the Government Performance Results Act and to reduce Federal burdens through the Paperwork Reduction & Unfunded Mandates Acts. It has been endorsed by state and local organizations such as the National Governors Association, the National Conference of State Legislators, the National Association of Counties, and the National League of Cities. I want to thank the gentleman from Maryland, Mr. HOYER and the other original cosponsors for joining me in this effort and I encourage my colleagues to join in support of this bipartisan effort.

INTRODUCTION OF THE TRADE FAIRNESS ACT OF 1999

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. REGULA. Mr. Speaker, as you are aware, steel imports continues to pour into the United States at very low prices and are threatening steel worker jobs and the health of the U.S. steel industry.

As was acknowledged in the President's recent steel report, this is a severe crisis that has resulted in a 30 percent surge in steel imports during the first 10 months of 1998 and has resulted in the loss of 10,000 steel worker jobs.

Surprisingly, the President's steel report does not contain any significant measures that will provide immediate relief to the industry and protect steel worker jobs.

The report only rehashes discussions he and administration officials have had with offending country officials asking them to cut back on their steel exports to the U.S., and revises measures that have been taken to expedite recent trade cases.

The only new proposals in the President's report are $300 million in tax relief for steel companies allowing them to carry back losses for 5 years, and a high level administration coordinator to assist communities once they have already suffered job losses.

Since the administration does not appear ready to take decisive and immediate action to solve the steel import crisis, it is up to the Congress to look at various options.

I am introducing today the Trade Fairness Act of 1999 which is but one option in trying to solve the steel import crisis. It may not be the most expeditious option, but the bill contains two provisions that would significantly improve current law to better respond to import surges.

The bill lowers the threshold for establishing injury in safeguard actions under section 201 of the 1974 Trade Act to bring the standard in line with World Trade Organization rules. Section 201 allows the President to provide appropriate relief, including duties and quotas, when an industry is injured by import surges. The injury standard in this type of action should not remain unjustifiably high, thereby precluding the use of section 201 to respond to import surges.

Second, the bill establishes a steel import permit and monitoring program, similar to programs in Canada and Mexico. This monitoring program will provide the Administration and industry with timely import data to determine more quickly if the marketplace is being disrupted by unfair imports.

This bill represents only one option. You will see other bills introduced in the near future responding to the steel import crisis, including a bill I am drafting to require the President to negotiate Voluntary Restraint Agreements with offending nations. This program was extremely effective in the 1980's in allowing the industry to restructure and become world competitive.

But, even the most competitive industry cannot compete against unfair imports. We must look for an effective solution to stop these unfair steel imports. Below is a more detailed explanation of the Trade Fairness Act of 1999.

EXPLANATION OF THE TRADE FAIRNESS ACT OF 1999

(INTRODUCED BY CONGRESSMAN RALPH REGULA)

The Emergency Steel Relief Act of 1999 is one option to enhance U.S. law to better respond to surges of foreign imports that injure U.S. industries and their workers. This legislation makes prospective changes in U.S. trade laws to bring these laws in line with World Trade Organization (WTO) rules and establishes an import monitoring program for steel.

The Trade Fairness Act of 1999 consists of the following two sections: first, the legislation lowers the threshold for establishing injury in safeguard actions under Section 201 of the 1974 Trade Act; and second, it establishes an import monitoring program to monitor the amount of foreign steel coming into the U.S. on a more timely basis.

1. Safeguard Actions: The legislation amends Section 201 of the 1974 Trade Act, which allows the President to provide appropriate relief to a U.S. industry if the International Trade Commission (ITC) finds that the industry has been seriously injured and that injury has been substantially caused by imports.

Current law requires that imports are a substantial cause of injury to U.S. industry. Our WTO obligation requires only that imports be a cause of injury (i.e. it need not be a 'substantial' cause). The bill deletes the term 'substantial' from the causation standard.

Current law requires that imports are ''not less than any other cause'' of injury. This is an unnecessarily high standard. The bill clarifies that in order to gain relief there only needs to be a causal link between imports and the injury.

The bill also includes in U.S. law the factors to be considered by the ITC, as established by the WTO, to determine whether the U.S. industry has suffered serious injury. These factors include: the rate and amount of the increase in imports of the product concerned in absolute and relative terms; the share of the domestic market taken by increased imports; changes in the levels of sales; production; productivity; capacity utilization; profits and losses; and, employment.

2. Steel Import Monitoring Program: The bill establishes a steel import permit and monitoring program. In order to gain relief under U.S. trade laws, domestic industries must demonstrate that unfairly traded imports have caused injury. This requires complex factual and economic analysis of import data. Currently, such data has not been available on a timely basis. This data has become public several months after the imports have arrived in the U.S., thus allowing unfairly traded imports to cause significant damage in many cases before the data is available for even a preliminary analysis.

The steel import permit and monitoring system, which is modeled on similar systems currently in use in Canada and Mexico, would allow the U.S. government to receive and analyze critical import data in a more timely manner and allow industry to determine more quickly whether unfair imports are disrupting the market.

MIAMI BEACH REMEMBERS COMMISSIONER ABE RISNICK

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, a special tribute was held at the Holocaust Memorial in Miami Beach in memory of former Miami Beach Commissioner Abe Resnick who passed away late last year after decades of great contributions to the South Florida community.

Commissioner Resnick's life exemplifies the achievement of the American dream through hard work, perseverance and dedication. Born in Lithuania in 1924, Commissioner Resnick was a survivor of the Holocaust after successfully escaping from a Nazi concentration camp in Lithuania. Not forgetting those who continue suffering under Nazi repression, he joined the Resistance and bravely fought to defeat the Nazi regime. Commissioner Resnick later left Europe with his family to settle in Cuba where years later he had to flee repression again, this time from the Communist regime of Fidel Castro.

Arriving in the United States, he soon began a prominent and successful career as a leading real estate developer in South Florida, while remaining an active participant of the Jewish and Cuban-American communities of South Florida. One of his achievements was the realization of the construction of a Holocaust Memorial in Miami Beach that will forever serve as a shrine to all those who perished in that tragic period of human history.

In 1985, Mr. Resnick was elected as commissioner of the city of Miami Beach and later also served as vice-mayor of the city where he continued his good works for the progress of our community.

South Florida will forever remember the positive and lasting contributions of Commissioner Abe Resnick.

TRIBUTE TO FORMER CALIFORNIA STATE SENATOR QUENTIN L. KOPP

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to one of the most remarkable legislators in the history of the great golden State of California—the Honorable Quentin L. Kopp.

An independent by political affiliation and by personal nature, Quentin Kopp is a San Francisco institution. His 27 years in public office began with his service as a member of the San Francisco Board of Supervisors. He has served on virtually every local government policy-making body in the Bay Area, in addition to his accomplished career as a practicing trial lawyer. Quentin's record includes a herculean effort to bring the 1985 Superbowl and the summer Olympic Games to our area. He continued his distinguished public service as a member of the California State Senate, where his prodigious 12-year tenure was only curtailed this past year by voter-mandated term limits.

A fiscal conservative, Quentin guards the public purse as zealously as he guards his own. He is a public reformer who has insisted upon open government, campaigns that fully disclose contributions, and the elimination of conflicts of interest. Furthermore, he possesses a vocabulary that dwarfs Noah Webster's and a rhetorical style that rival Daniel Webster's. He is rightly renowned for his ability to simultaneously please, baffle, inspire, and incite his loyal constituency.

Mr. Speaker, as Chairman of the State Senate Committee on Transportation, Quentin Kopp has amassed an enviable legislative record: creation of the California High Speed Rail Authority, development of the 1989 Transportation Blueprint for the 21st Century, coordination of public transit agencies in the San Francisco Bay Area, and securing funding for the seismic retrofitting of the Bay Area's bridges. Senator Kopp's longtime and articulate advocacy of the extension of the Bay Area Rapid Transit system to San Francisco International Airport—a critical issue which has involved many of our colleagues in this House—has been vital in assuring Bay Area residents their desire to have Bart to the Airport!

Quentin Kopp's imposing height, unforgettable visage, and booming voice, infused with tones of his native Syracuse, New York, heralds his legendary tardy public appearances. But all of us have found that it is worth the wait to hear Quentin's views on public issues. He has an innate understanding of Abraham Lincoln's caution that ''you cannot please all of the people all of the time,'' and this has produced in him the predilection for honest and unedited dialogue which is so appreciated by his constituents.

Mr. Speaker, the legislative branch's loss is the judicial branch's gain. Senator Quentin Kopp is now addressed as the Honorable Quentin Kopp, Judge of the Superior Court of San Mateo County, a position to which he was appointed on January 2 of this year. Quentin does not need the judicial robe to augment his commanding, magisterial presence, but all of us in San Mateo County will benefit from his willingness to exercise wit and wisdom in his new post.

It is my sincere wish, Mr. Speaker, that Judge Kopp will find intellectual satisfaction, professional fulfillment and personal happiness in this new opportunity to continue his public service.

INTRODUCTION OF THE HOUSING PRESERVATION MATCHING GRANT OF 1999

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. VENTO. Mr. Speaker, today I am introducing the Housing Preservation Matching Grant of 1999, which would authorize the Secretary of HUD to make grants to States to supplement State assistance for the preservation of affordable housing for low-income families. The bill would allocate resources to match the efforts of States in preserving affordable housing units across this Nation. With this kind of commitment, the Federal Government would be able to help States and more importantly, communities to achieve the long-term preservation of those housing units as affordable housing.

We are facing a dire situation with regard to affordable housing needs in this country. Low- to moderate-income residents receiving housing assistance are on the cusp of a crisis and Congress must act to attempt to avert the breakdown and loss of the national public and assisted housing stock. Without preservation, the best of the worst case scenarios is a ''vouchering out'' of what little affordable housing remains.

Some States are allocating resources to save federally subsidized housing for the future. In Minnesota, where 10 percent of the roughly 50,000 units of assisted housing are at risk, $10 million was appropriated for 1999 for an Affordable Rental Investment Fund to finance the acquisition, rehabilitation and debt restructuring of federally assisted rental property and for making equity take-out loans. This laudable effort, however, is only one State and even there, the resources allocated cannot match the great need for affordable housing, especially for seniors and those with special needs.

This Vento bill recognizes these kinds of commitments and matches them with two Federal dollars for every State dollar. While I support funding for the Federal Low Income Housing Preservation and Resident Homeownership Act (LIHPRHA), if there is not to be funding, perhaps this new Housing Preservation Matching Grant can encourage a forestallment of prepayment, which places low-income families at risk of losing their homes. With enactment of this bill this year, we could provide a benchmark for States and local communities to work from and with as they produce their own initiatives to avert this pending national crisis in affordable housing.

A section-by-section of the bill follows:

SECTION 1. SHORT TITLE.—The short title of the Act is the ''Housing Preservation Matching Grant Act of 1999''

SECTION 2. FINDINGS AND PURPOSE—(a) FINDINGS.—The Congress finds that—(1) more than 55,300 affordable housing dwelling units in the United States have been lost through termination of low income affordability requirements, which usually involves the prepayment of the outstanding principal balance under the mortgage on the project in which such units are located;

(2) more than 265,000 affordable housing dwelling units in the United States are currently at risk of prepayment;

(3) the loss of the privately owned, federally assisted affordable housing, which is occurring during a period when rents for unassisted housing are increasing and few units of additional affordable housing are being developed, will cause unacceptable harm on current tenants of affordable housing and will precipitate a national crisis in the supply of housing for low-income households;

(4) the demand for affordable housing far exceeds the supply of such housing, as evidenced by studies in 1998 that found that (A) 5,300,000 households (one-seventh of all renters in the Nation) have worst-case housing needs; and (B) the number of families with at least one full-time worker and having worst-case housing needs increased from 1991 to 1995 by 265,000 (24 percent) to almost 1,400,000;

(5) the shortage of affordable housing in the United States reached a record high in 1995, when the number of low-income households exceeded the number of low-cost rental dwelling units by 4,400,000;

(6) between 1990 and 1995, the shortage of affordable housing in the United States increased by 1,000,000 dwelling units, as the supply of low-cost units decreased by 100,000 and the number of low-income renter households increased by 900,000;

(7) there are nearly 2 low-income renters in the United States for every low-cost rental dwelling unit;

(8) 2 of every 3 low-income renters receive no housing assistance and about 2,000,000 low-income households remain on waiting lists for affordable housing;

(9) the shortage of affordable housing dwelling units results in low-income households that are not able to acquire low-cost rental units paying large proportions of their income for rent; and

(10) in 1995, 82 percent of low-income renter households were paying more than 30 percent of their incomes for rent and utilities.

(b) PURPOSE.—It is the purpose of this Act—

(1) to promote the preservation of affordable housing units by providing matching grants to States that have developed and funded programs for the preservation of privately owned housing that is affordable to low-income families and persons and was produced for such purpose with Federal assistance;

(2) to minimize the involuntary displacement of tenants who are currently residing in such housing, many of whom are elderly or disabled persons; and

(3) to continue the partnerships among the Federal Government, State and local governments, and the private sector in operating and assisting housing that is affordable to low-income Americans.

SECTION 3. AUTHORITY. Provides the Secretary of HUD with the authority to make grants to the States for low-income housing preservation.

SECTION 4. USE OF GRANTS. (a) IN GENERAL.—Grants can only be used for assistance for acquisition, preservation incentives, operating cost, and capital expenditures for the housing projects that meet the requirements in (b), (c) or (d) below.

(b) PROJECTS WITH HUD-INSURED MORTGAGES.

(1) The project is financed by a loan or mortgage that is—(A) insured or held by the Secretary under 221(d)(3) of National Housing Act and receiving loan management assistance under Section 8 of the U.S. Housing Act of 1937 due to a conversions for section 101 of the Housing and Urban Development Act of 1965; (B) insured or held by the Secretary and bears interest at a rate determined under 221(d)(5) of the National Housing Act; (C) insured, assisted, or held by the Secretary or a State or State Agency under Section 236 of the National Housing Act; or (D) held by the Secretary and formerly insured under a program referred to in (A), (B) or (C);

(2) the project is subject to an unconditional waiver of, with respect to the mortgage referred to in paragraph (1)—

(A) all rights to any prepayment of the mortgage; and (B) all rights to any voluntary termination of the mortage insurance contract for the mortgage; and

(3) the owner of the project has entered into binding commitments (applicable to any subsequent owner) to extend all low-income affordability restrictions imposed because of any contract for project-based assistance for the project.

(c) PROJECTS WITH SECTION 8 PROJECT-BASED ASSISTANCE. A project meets the requirements under this subsection only if—

(1) the project is subject to a contract for project-based assistance; and

(2) the owner has entered into binding commitments (applicable to any subsequent owner) to extend such assistance for a maximum period under law and to extend any low-income affordability restrictions applicable to the project.

(d) PROJECTS PURCHASED BY RESIDENTS.—A project meets the requirements under this subsection only if the project—

(1) is or was eligible housing under LIHPRHA of 1990; and

(2) has been purchased by a resident council for the housing or is approved by HUD for such purchase, for conversion to homeownership housing as under LIHPRHA of 1990.

(e) COMBINATION OF ASSISTANCE.—Notwithstanding subsection (a), any project that is

otherwise eligible for assistance with grant amounts under (b) or (c) and also meets the requirements of the (1) in either of the other subsections—that is, it is a 221(d)(3), 221(d)(5), or a 236 building, or, is subject to a contract for project-based assistance—will be eligible for such assistance only if it complies with all the requirements under the other subsection.

SECTION 5. GRANT AMOUNT LIMITATION.—The Secretary can limit grants to States based upon the proportion of such State's need compared to the aggregate need among all States approved for such assistance for such a fiscal year.

SECTION 6. MATCHING REQUIREMENT.—(a) IN GENERAL—The Secretary of HUD cannot make a grant that exceeds twice the amount the State certifies that the State will contribute for a fiscal year, or has contributed since January 1, 1999, from non-Federal sources for preservation of affordable housing as described in Section 4(a).

(b) TREATMENT OF PREVIOUS CONTRIBUTIONS.—Any portion of amounts contributed after 1.1.99, that are counted for a fiscal year, may not be counted for any subsequent fiscal year.

(c) TREATMENT OF TAX CREDITS.—Low Income Housing Tax Credits (LIHTC) and proceeds from the sale of tax-exempt bonds shall not be considered non-federal sources for purposes of this section.

SECTION 7. TREATMENT OF SUBSIDY LAYERING REQUIREMENTS.—Neither section 6 nor any other provision of this Act should prevent using the Low Income Housing Tax Credit in connection with housing assisted under this Act, subject to following Section 102(d) of the HUD Reform of 1989 and section 911 of the Housing and Community Development Act of 1992.

SECTION 8. APPLICATIONS.—The Secretary shall provide for States to submit applications for grants under this Act with such information and certifications that are necessary.

SECTION 9. DEFINITIONS.—For this Act, the following definitions apply:

(1) LOW-INCOME AFFORDABILITY RESTRICTIONS.—With respect to a housing project, any limitations imposed by regulation or agreement on rents for tenants of the project, rent contributions for tennis of the project, or income-eligibility for occupany in the project.

(2) PROJECT-BASED ASSISTANCE.—Is as defined in section 16(c) of the U.S. Housing Act of 1937, except that such term includes assistance under any successor programs to the programs referred to in that section.

(3) SECRETARY.—Means the Secretary of the Department of Housing and Urban Development.

(4) STATE.—Means the States of the U.S., DC, Puerto Rico, the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, and any other territory or possession of the U.S.

SECTION 10. Gives the Secretary authority to issue any necessary regulations.

SECTION 11. Authorizes such sums as necessary from 2000 through 2004 for grants under this Act.

ENGLISH LANGUAGE AMENDMENT

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. DOOLITTLE. Mr. Speaker, I rise today to introduce the English Language Amendment to the Constitution. It is my belief that this legislation is critically needed at this day and hour. It is time for Congress to stand up and reaffirm that this nation of immigrants requires the unity of a national language.

Mr. Speaker, for over 200 years, America has made a home for immigrants from all over the globe. The newest American citizen is considered just as good an American as the citizen whose ancestors can be traced to the Mayflower. The United States has managed to accomplish what few nations have even dared to attempt: we are one nation even though each of us may have ancestors who fought against each other in generations past.

This has been made possible by our common flag and our common language. The immigrant struggling to learn English in order to become a citizen is an ancestor of many of the Members of this House. The child of immigrants, going to school, learning English and playing baseball is the ancestor of many of us as well. And others here are that child a few years later, having the honor of representing many other Americans as a U.S. Congressman.

Learning English was not always easy. And America has not always lived up to its high ideal that we are E Pluribus Unum—''out of many, one.'' But for most of our Nation's history, the English language was both the language of opportunity and the language of unity.

During the 1960's, the notion of our common language came under attack. There were those who felt America had nothing worthy of pride. Some of these people gave the impression that they did not think the United States of America itself was a good idea.

While those days are over, many of the ideas of that period are part of federal law. One of the most divisive of those notions was government multilingualism and multiculturalism. These ideas have infiltrated government at all levels. Yet these ideas were opposed and then and remain opposed to now by a vast majority of Americans.

Mr. Speaker, I believe we would all concede that notions like bilingual ballots and bilingual education were well meant when they were proposed. But also believe that it is time that we ended this failed experiment in official multilingualism.

I believe this experiment should be ended because government multilingualism is divisive. It seems that no amount of translation services is ever sufficient. Michigan offers its driver test in 20 languages. There are 100 languages spoken in the Chicago school system. Yet hard-pressed taxpayers know that they are one lawsuit away from yet another mandatory translation requirement.

There are those who say that this amendment is not necessary. I would remind them that right across the street the Supreme Court will decide whether any official English legislation is Constitutional. Even though we may desire less comprehensive approaches to this issue, the actions of this Court, or a future Court, may well undercut any official English legislation short of the English Language Amendment (ELA).

In 1996, I spoke with pride on behalf of the official English bill originally introduced by my colleague from the great State of California, Duke Cunningham. That was a good bill and would have made a good beginning.

However, given that groups like the American Civil Liberties Union with their legions of lawyers stand ready to haul any official English legislation into court, I believe that we must accept the fact that Congress will be continually forced to revisit this issue until we successfully add the ELA to our Constitution.

The path of a Constitutional amendment is not easy. The Founding Fathers made certain that only the most important issues could succeed in achieving Constitutional protection.

Mr. Speaker, I submit that preserving our national unity through making English this Nation's official language is just such a critical issue. Look around the world. Neighbor fights with neighbor even when they speak a common language. Linguistic divisions swiftly lead to other divisions.

Mr. Speaker, if the ELA is adopted, states like my own will save money. Under our current laws, the minute an immigrant sets foot on U.S. soil, he and his family are entitled to a multitude of government services, each provided in that immigrant's native tongue. When their children start school, we cannot give them English classes—instead California and other States must provide schooling to these children in the language of their parents. Bilingual education alone is an unfunded $8 billion mandate on State and local taxpayers.

There is a sense in this body when the time has come for certain legislation. I submit that the time has indeed come for the English Language Amendment and I urge its adoption.

INTRODUCTION OF H.R. 168, THE GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. LANTOS. Mr. Speaker, the Golden Gate National Recreation Area (GGNRA) is a true national treasure. It provides open space and recreation in the midst of a densely populated urban area, and it is one of our Nation's most heavily used national parks. I urge my colleagues to support my legislation, H.R. 168, which would expand the boundaries of the GGNRA to include an additional 1,300 critical acres of land adjacent to existing GGNRA parkland.

Mr. Speaker, this legislation has the bipartisan support of the entire Bay Area Congressional Delegation. Joining me as cosponsors of this legislation are our colleagues NANCY PELOSI, ANNA ESHOO, TOM CAMPBELL, GEORGE MILLER, LYNN WOOLSEY, PETE STARK, ELLEN TAUSCHER, BARBARA LEE, and ZOE LOFGREN.

H.R. 168, the Golden Gate National Recreation Area Boundary Adjustment Act, will permit the National Park Service to acquire carefully selected critical natural areas in San Mateo County, primarily in the area around the City of Pacifica. National Park Service officials in the Bay Area conducted a boundary study to evaluate the desirability of including additional lands in and around Pacifica within the GGNRA. During the preparation of the Park Service study, a public forum was held to gather comments from area residents, and local input was reflected in the final study. The Pacifica City Council adopted a resolution endorsing the addition of these areas to the GGNRA. The GGNRA and the Point Reyes

National Seashore Advisory Commission also urged the addition of these new areas to the park.

Mr. Speaker, this legislation has the strong support of local environmental advocacy and preservation groups. The Loma Prieta Chapter of the Sierra Club contacted me to express support for this important legislation. In a letter endorsing this bill, the Sierra Club wrote that ''by expanding the boundaries of the GGNRA, the legislation would allow acquisition of parcels which are natural extensions of the park.'' The letter continued that this legislation ''would protect both views and habitats as well as provide additional recreational opportunities for local residents as well as visitors to the Bay Area. The open spaces and the vistas from these sites are national treasures and it is appropriate to include them in the Golden Gate National Recreation Area. By including them in GGNRA, visitors to the Bay Area will be given a chance to experience their wonder.''

H.R. 168 would expand the boundary of GGNRA to permit the inclusion of lands directly adjacent to existing parkland as well as nearby lands along the Pacific Ocean. The upper parcels of land offer beautiful vistas, sweeping coastal views, and spectacular headland scenery. Inclusion of these lands would also protect the important habitats of several species of rare or endangered plants and animals. The legislation offers improved access to existing trails and beach paths and would protect important ecosystems from encroaching development.

The GGNRA Boundary Adjustment Act would also permit the inclusion of beautiful headlands along the coast into GGNRA. The coastal headlands of San Pedro Point, the Rockaway Headland, Northern Coastal Bluffs, and the Bowl & Fish would be included in the GGNRA under this legislation. These parcels would offer park visitors scenic panoramas up and down the coast, views of tide pools and offshore rocks, sweeping views of GGNRA ridges to the east, as well as additional access to the Pacific Ocean.

Mr. Speaker, throughout my service in Congress, I have had a strong interest in preserving the unique natural areas of the Peninsula. In the early 1980's, I fought for the inclusion in GGNRA of Sweeney Ridge, which includes the site from which Spanish explorers first sighted the San Francisco Bay in the 18th century. The ridge affords a unique panorama of the entire Bay. In 1984, in the face of a long and hard battle waged by myself and former Congressmen Leo Ryan and Phil Burton, the Reagan Administration acquiesced, and Sweeney Ridge became a part of our protected natural heritage.

In the early 1990's, I authored and secured passage of legislation to add the Phleger Estate to the GGNRA. The Phleger Estate includes over a thousand acres of pristine second-growth redwoods and evergreen forests adjacent to the Crystal Springs watershed in the mid-Peninsula. The Federal Government paid one-half of the cost of acquiring the Phleger Estate. The other half of the cost was paid for through private contributions raised by the Peninsula Open Space Trust (POST). Our distinguished colleague, Congresswoman ANNA ESHOO, played a key role in winning congressional approval of the Federal Government's share of the purchase. The Phleger Estate is now part of the GGNRA and it has become an important hiking and recreation area on the Peninsula.

Mr. Speaker, preserving our country's unique natural areas must be one of our highest national priorities, and it is one of my highest priorities as a Member of Congress. We must preserve and protect these areas for our children and our grandchildren today or they will be lost forever. Adding these new lands in and around Pacifica to the GGNRA will allow us to protect these fragile areas from development or other inappropriate uses which would destroy the scenic beauty and natural character of this key part of the Bay Area. I urge my colleagues to support passage of H.R. 168, the Golden Gate National Recreation Area Boundary Adjustment Act.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 21, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 22

9:30 a.m.
Budget
To resume hearings on certain Social Security issues in the 21st Century.
SD–608

10 a.m.
Finance
To hold an organizational meeting; and to consider the proposed Miscellaneous Trade and Technical Corrections Act of 1999 and pending nominations.
SD–215

JANUARY 25

10 a.m.
Budget
To hold hearings on national defense budget issues.
SD–608

JANUARY 26

Time to be announced
Finance
To hold hearings on U.S. trade policy issues, focusing on international economic and export promotion programs.
SD–215

9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine opportunities to improve education.
SD–430

JANUARY 27

Time to be announced
Finance
To continue hearings on U.S. trade policy issues, focusing on agricultural, service and manufacturing programs and the U.S. steel industry during the global financial crisis.
SD–215

8:30 a.m.
Judiciary
Antitrust, Business Rights, and Competition Subcommittee
To hold hearings to examine the Echostar/MCI satellite-cable competition deal.
SD–226

9:30 a.m.
Budget
Governmental Affairs
To hold hearings on S. 92, to provide for biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; and S. 93, to improve and strengthen the budget process.
SD–106
Energy and Natural Resources
To hold oversight hearings on the impacts of outer continental shelf activity on coastal states and communities.
SH–216

JANUARY 28

Time to be announced
Finance
To continue hearings on U.S. trade policy issues, focusing on labor and environmental standards.
SD–215

9 a.m.
Energy and Natural Resources
To hold oversight hearings on the state of the petroleum industry.
SH–216

FEBRUARY 10

8:30 a.m.
Judiciary
Antitrust, Business Rights, and Competition Subcommittee
To hold hearings to review competition and antitrust issues relating to the Telecom Act.
SD–22